

## FIFTY-SECOND DAY

(Tuesday, April 16, 1935)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following members were present:

Mr. Speaker	Hartzog
Adamson	Head
Adkins	Herzik
Aikin	Hill
Alsup	Hodges
Ash	Hofheinz
Atchison	Holland
Beck	Hoskins
Bergman	Huddleston
Bourne	Hunt
Bradbury	Hunter
Bradford	Hyder
Broyles	Jackson
Burton	James
Butler of Brazos	Jefferson
Butler of Karnes	Jones of Atascosa
Cagle	Jones of Falls
Caldwell	Jones of Runnels
Calvert	Jones of Shelby
Celaya	Jones of Wise
Clayton	Keefe
Collins	King
Colquitt	Knetsch
Colson	Lange
Cooper	Lanning
Cowley	Latham
Craddock	Lemens
Crossley	Leonard
Daniel	Lindsey
Davison of Fisher	Lotief
Davisson	Lucas
of Eastland	Luker
Dickison	Mauritz
Dunagan	McConnell
Dunlap of Hays	McFarland
Dunlap of Kleberg	McKee
Duvall	Moffett
Dwyer	Moore
England	Morris
Fain	Morrison
Farmer	Morse
Fisher	Newton
Ford	Nicholson
Fox	Olsen
Frazer	Padgett
Fuchs	Palmer
Gibson	Patterson
Glass	Payne
Good	Petsch
Graves	Pope
Gray	Quinn
Greathouse	Reader
Hankamer	Reed of Bowie
Hanna	Roach of Angelina
Hardin	Roach of Hunt
Harris of Archer	Roark
Harris of Dallas	Roberts

Rogers	Tennyson
Russell	Thornton
Rutta	Tillery
Scarborough	Venable
Settle	Waggoner
Shofner	Walker
Smith	Wells
Spears	Westfall
Stanfield	Wood of Harrison
Steward	Wood of Montague
Stinson	Worley
Stovall	Young
Tarwater	Youngblood

## Absent

Fitzwater	Riddle
Leath	

## Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Reed of Dallas
Howard	Roane

A quorum was announced present.

Rev. Geo. W. Coltrin, Chaplain, offered the following invocation:

"Lord, in this time, which calls for the best in government, wilt Thou be with our President, our National Congress, our Governor and ourselves, to the end that the serious problems of human relations and political government may be wisely solved. In Christ's name. Amen."

## LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence on account of illness:

Mr. Worley temporarily for today, on motion of Mr. Hyder.

Mr. Reed of Dallas for today, on motion of Mr. Harris of Dallas.

Mr. Hankamer was granted leave of absence for this afternoon, on account of important business, on motion of Mr. Clayton.

Mr. Reader was granted leave of absence for this afternoon and tomorrow, on account of the death of a friend, on motion of Mr. Glass.

## HOUSE BILL ON FIRST READING

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Harris of Archer:

H. B. No. 967, A bill to be entitled "An Act to repeal House Bill No. 557, Acts of the Regular Session of the

Forty-third Legislature, which provides for a closed season on quail in Archer County, for a period of three years, and prescribing a penalty for violation thereof, and declaring an emergency."

Referred to Committee on Game and Fisheries.

Mr. Spears moved to introduce, at this time, and have placed on first reading, the following bill:

The motion prevailed by the following vote:

Yeas—109

Adamson	James
Adkins	Jones of Atascosa
Aikin	Jones of Falls
Alsup	Jones of Runnels
Ash	Jones of Shelby
Bourne	Jones of Wise
Bradbury	Keefe
Bradford	King
Broyles	Knetsch
Burton	Lange
Butler of Brazos	Lanning
Butler of Karnes	Lemens
Cagle	Leonard
Caldwell	Lindsey
Calvert	Lotief
Clayton	Lucas
Collins	Luker
Cooper	Mauritz
Cowley	McConnell
Craddock	McFarland
Davison of Fisher	McKee
Dickison	Moffett
Dunlap of Hays	Morris
England	Morrison
Fain	Morse
Farmer	Newton
Fisher	Olsen
Fox	Palmer
Frazer	Patterson
Fuchs	Payne
Gibson	Pope
Glass	Quinn
Good	Reader
Graves	Reed of Bowie
Gray	Roach of Angelina
Hankamer	Roach of Hunt
Hardin	Roark
Harris of Archer	Russell
Harris of Dallas	Rutta
Hartzog	Settle
Head	Shofner
Herzik	Smith
Hodges	Spears
Hofheinz	Stanfield
Holland	Stovall
Hoskins	Tarwater
Huddleston	Tennyson
Hunt	Thornton
Hunter	Tillery
Hyder	Venable
Jackson	Waggoner

Walker	Wood of Montague
Wells	Worley
Westfall	Younghlood
Wood of Harrison	

#### Absent

Atchison	Hanna
Beck	Hill
Bergman	Jefferson
Celaya	Latham
Colquitt	Leath
Colson	Moore
Crossley	Nicholson
Daniel	Padgett
Davisson	Petsch
of Eastland	Riddle
Dunagan	Roberts
Dunlap of Kleberg	Rogers
Duvall	Scarborough
Dwyer	Steward
Fitzwater	Stinson
Ford	Young
Greathouse	

#### Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Reed of Dallas
Howard	Roane

The Speaker laid the bill before the House; it was read first time, and referred to the appropriate committee, as follows:

By Mr. Spears:

H. B. No. 968, A bill to be entitled "An Act providing for the appointment of an official court reporter in and for each county court at law, of Bexar County, Texas, civil and criminal, by the judge of each county court at law, of Bexar County, Texas; providing the qualifications; etc., and declaring an emergency."

Referred to Committee on Judiciary.

#### SENATE BILL NO. 135 ON FINAL PASSAGE

Mr. McKee moved to reconsider the vote by which Senate Bill No. 135 was passed.

The motion to reconsider prevailed.

Mr. McKee offered the following amendments to the bill:

Amend Senate Bill No. 135 by striking out all below the enacting clause and insert in lieu thereof the following:

"Section 1. That Chapter 18, Acts of the Forty-third Legislature, Second Called Session, page 54, be, and the same is hereby, amended so as to hereafter read as follows:

"Section 5-b, Article 3886-b. In all counties in this State having a population of over 125,000 inhabitants, according to the latest preceding Federal Census, and in which there is no district attorney or criminal district attorney and the county attorney performs the duties of county and district attorney, the county attorney in such counties, upon sworn application showing the necessity therefor and upon approval by the commissioners court of such application, shall be authorized to appoint one first assistant county attorney who shall receive a salary of not to exceed \$3,600 per annum, and such other assistants and employes as are necessary who shall receive salaries of not to exceed \$3,000 per annum. The commissioners court in each order approving the appointment of such assistants and employes shall state the number authorized and the amount of compensation to be allowed each assistant or employe; and should the fees of the county attorney's office be insufficient to pay the compensation allowed to such officer, and also pay the allowable expense and the salaries of such assistants and employes of such office as the commissioners court may determine are necessary to properly perform the duties and carry on the affairs of the office, the commissioners court shall allow the payment of such portion of such expenses and salaries out of the general fund of the county as in their judgment may be necessary. The county attorney may also appoint, with the consent and approval of the commissioners court, an assistant county attorney who need not possess the qualifications of county attorney, but who shall have the qualifications of a competent tax man, and a clerk or assistant to assist in the collection of delinquent taxes, and in the filing and prosecuting of tax suits. Such assistant county attorney shall receive such salary as the commissioners court may determine, not to exceed three thousand dollars (\$3,000) per annum, and such clerk or assistant a salary not to exceed one thousand eight hundred dollars (\$1,800) per annum, such salary to be paid monthly out of a percentage of all delinquent taxes collected."

"Sec. 2. All laws and parts of laws in conflict herewith are hereby repealed.

"Sec. 3. The fact that in Chapter 18, Acts of the Forty-third Legisla-

ture, Second Called Session, inadequate provision was made for the appointment and compensation of assistant county attorneys in such counties, which omission and failure to so provide, and the fact that in the existing laws there are no adequate provisions for the appointment and compensation of assistants and employes of the county attorney in such counties will result in seriously hampering the enforcement of law and the efficient trial of civil and criminal cases in which the county and the State are involved, unless adequate provision is made for same, creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days, be, and the same is hereby, suspended, and that this Act shall take effect and be in force from and after its passage and it is so enacted."

Amend Senate Bill No. 135 by striking out all above the enacting clause and insert in lieu thereof the following:

"S. B. No. 135, A bill to be entitled An Act amending Chapter 18, Acts of the Forty-third Legislature, Second Called Session, page 54, Article 3886-b, providing for the appointment of assistant county attorneys and other employes of the county attorney in all counties in the State having a population of over 125,000 inhabitants, according to the latest preceding Federal Census, and in which there is no district attorney or criminal district attorney and wherein the county attorney performs the duties of county and district attorney; providing for the maximum compensation of assistants and employes of the county attorney in such counties; providing for the manner in which said assistants and employes of the county attorney in such counties shall be paid; repealing all laws and parts of laws in conflict herewith; providing that this Act shall become effective from and after its passage, and declaring an emergency."

The amendments were severally adopted.

Senate Bill No. 135 was then passed by the following vote:

Yeas—112

Adamson	Atchison
Adkins	Bourne
Aikin	Bradbury
Alsup	Bradford
Ash	Broyles

Burton	Lanning
Butler of Karnes	Lemens
Caldwell	Leonard
Calvert	Lindsey
Clayton	Lotief
Collins	Lucas
Cooper	Mauritz
Cowley	McConnell
Craddock	McFarland
Crossley	McKee
Davison of Fisher	Moffett
Dickison	Moore
Dunlap of Hays	Morris
England	Morrison
Fain	Morse
Farmer	Newton
Fisher	Nicholson
Ford	Olsen
Fox	Padgett
Frazer	Palmer
Fuchs	Patterson
Gibson	Payne
Glass	Pope
Good	Reader
Gray	Reed of Bowie
Hanna	Roach of Angelina
Hardin	Roach of Hunt
Harris of Archer	Roark
Harris of Dallas	Rogers
Hartzog	Russell
Head	Rutta
Herzik	Settle
Hodges	Shofner
Hofheinz	Smith
Holland	Spears
Hoskins	Stanfield
Huddleston	Steward
Hunt	Stinson
Hunter	Tarwater
Hyder	Tennyson
Jackson	Thornton
James	Tillery
Jones of Atascosa	Venable
Jones of Falls	Waggoner
Jones of Runnels	Walker
Jones of Shelby	Wells
Jones of Wise	Westfall
Keefe	Wood of Harrison
King	Wood of Montague
Knetsch	Worley
Lange	Youngblood

Nays—1

Quinn

Present—Not Voting

Cagle

Absent

Beck	Dunagan
Bergman	Dunlap of Kleberg
Butler of Brazos	Duvall
Celaya	Dwyer
Colquitt	Fitzwater
Colson	Graves
Daniel	Greathouse
Davisson	Hankamer
of Eastland	Hill

Jefferson	Riddle
Latham	Roberts
Leath	Scarborough
Luker	Stovall
Petsch	Young

Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Reed of Dallas
Howard	Roane

## SENATE BILL NO 324 ON FINAL PASSAGE

Mr. McFarland moved to reconsider the vote by which Senate Bill No. 324 was passed.

The motion to reconsider prevailed.

Mr. McFarland offered the following amendment to the bill:

Amend Senate Bill No. 324 by striking out of Section 2, beginning with the first word in said section, the following: "It shall be unlawful for any person to set or place or use," and insert in lieu thereof: "It shall be unlawful for any person to set or place or use at any one time more than one (1) trot-line, or".

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

Senate Bill No. 324 was then passed by the following vote:

Yeas—107

Adamson	Farmer
Adkins	Fisher
Aikin	Fox
Alsup	Frazer
Atchison	Fuchs
Beck	Glass
Bourne	Good
Bradbury	Graves
Bradford	Gray
Broyles	Hankamer
Burton	Hanna
Butler of Karnes	Hardin
Cagle	Harris of Dallas
Caldwell	Hartzog
Calvert	Head
Clayton	Herzik
Collins	Hodges
Cooper	Hofheinz
Cowley	Holland
Craddock	Huddleston
Crossley	Hunt
Dickison	Hyder
Dunlap of Hays	Jackson
Dunlap of Kleberg	James
England	Jones of Atascosa
Fain	Jones of Falls

Jones of Runnels	Reed of Bowie
Jones of Shelby	Roach of Angelina
Jones of Wise	Roach of Hunt
Keefe	Roark
King	Rogers
Knetsch	Russell
Lange	Rutta
Lanning	Shofner
Lemens	Smith
Leonard	Spears
Lotief	Stanfield
Lucas	Steward
Mauritz	Stinson
McConnell	Stovall
McFarland	Tarwater
Moore	Tennyson
Morris	Thornton
Morrison	Tillery
Newton	Venable
Nicholson	Waggoner
Olsen	Walker
Padgett	Wells
Palmer	Westfall
Patterson	Wood of Harrison
Payne	Wood of Montague
Petsch	Worley
Quinn	Youngblood
Reader	

Nays—3

Harris of Archer	Moffett
Lindsey	

Absent

Ash	Greathouse
Bergman	Hill
Butler of Brazos	Hoskins
Celaya	Hunter
Colquitt	Jefferson
Colson	Latham
Daniel	Leath
Davison of Fisher	Luker
Davisson	McKee
of Eastland	Morse
Dunagan	Pope
Duvall	Riddle
Dwyer	Roberts
Fitzwater	Scarborough
Ford	Settle
Gibson	Young

Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Reed of Dallas
Howard	Roane

#### CONCERNING LOUD SPEAKER EQUIPMENT

Mr. Morse offered the following resolution:

Resolved, That the Committee on Contingent Expenses be authorized to pay the "R. C. A. Company, Inc., of Camden, New Jersey," for the loud speaker equipment now in use in the House, said equipment having been

obtained in accordance with resolution passed by the House of Representatives.

The resolution was read second time, and was adopted.

#### NAMING ROBERT LANIER CALDWELL MASCOT OF THE HOUSE

Mr. Good offered the following resolution:

Whereas, We have with us at the present time a proper person for the office of Mascot of the House of Representatives for the Forty-fourth Legislature; now, therefore, be it

Resolved, That Robert Lanier Caldwell, son of our distinguished member, the Hon. Joe Caldwell, be, and is hereby, officially named by this House as one of the Mascots of the House of Representatives of the Forty-fourth Legislature of the State of Texas; and be it further

Resolved, That said Mascot have his picture made and placed with the members of the House in the official group of this Body, when said group picture is made.

GOOD,  
BRADFORD,  
VENABLE,  
YOUNGBLOOD,  
CRADDOCK.

The resolution was read second time, and was adopted.

#### INVITING JUDGE JAMES E. BLAINE TO ADDRESS A JOINT SESSION

Mr. Graves offered the following resolution:

H. C. R. No. 81, Inviting Judge James E. Blaine to address a Joint Session of the House and Senate.

Whereas, There is existing at this time grave traffic and safety conditions all over the State of Texas; and

Whereas, Such conditions directly or indirectly affect the lives and property of every individual in our State; and

Whereas, It is the duty of the legislative bodies of this State to, in so far as it may be in their power, improve safety conditions and to protect both the property and the lives of our citizenship; and

Whereas, There is available at this time a person well versed and most eminently capable of discussing our safety problems, and giving us sound, experienced advice on such matters; and

Whereas, Such discussion and advice would be of benefit to our body in acting on present and future legislation dealing with the protection of lives and the saving of property; now, therefore, be it

Resolved, That the House of Representatives and the Senate of the State of Texas sit in Joint Session at the hour of 1:45 p. m., Wednesday, April 17, 1935, and invite, for such time, Judge James E. Blaine, the person referred to in the foregoing part of this resolution, to speak to such joint meeting and to illustrate such subjects as might be of interest and assistance to this body in their future deliberations.

GRAVES,  
PETSCH,  
MOFFETT,  
PATTERSON.

The resolution was read second time.

Mr. Alsup offered the following amendment to the resolution:

Amend resolution by providing that such session shall not last over fifteen minutes.

The amendment was adopted.

Question recurring on the resolution, it was lost.

Mr. Moffett moved to reconsider the vote by which the resolution was lost.

Mr. Alsup moved to table the motion to reconsider.

The motion to table was lost.

Question recurring on the motion to reconsider the vote by which the resolution was lost, it prevailed.

The resolution was then adopted.

#### TO MEMORIALIZE CONGRESS IN REGARD TO PASSAGE OF GENERAL UTILITY BILL

Mr. Lotief offered the following resolution:

Whereas, There has been introduced by the Hon. Sam Rayburn, in the House of Representatives at Washington, a bill providing for the control of public utility holding companies; and

Whereas, This legislation has the endorsement and whole-hearted support of our President, in the carrying out of his program for the regulation of utilities and the elimination of wasteful investment in utility properties; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That

it endorses the provisions of the said general utility bill and urge upon Congress the speedy passage of this legislation into law; and

That a copy of this resolution be properly attested and forwarded to the Speaker of the House of Representatives at Washington.

The resolution was read second time.

Mr. Aikin moved that the resolution be referred to the Committee on Federal Relations.

Mr. Dwyer raised a point of order on further consideration of the resolution by Mr. Lotief at this time, on the ground that the time for the consideration of resolutions has expired.

The Speaker sustained the point of order.

Mr. Wells moved that the time allotted for the consideration of resolutions be extended for the purpose of considering the resolution by Mr. Lotief.

The motion was lost.

#### CONSIDERATION OF CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 779

The Speaker laid before the House, for consideration at this time, the report of the conference committee on House Bill No. 779;

The report having been submitted to the House and printed in the Journal of Friday, March 29.

Mr. McKee moved that the conference committee report be not adopted, and that the same conference committee be appointed to adjust the difference between the House and Senate.

The motion prevailed.

The Speaker announced the appointment of the same conference committee heretofore appointed on the part of the House on House Bill No. 779.

#### MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, April 16, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to adopt House Concurrent Resolution No. 9, relative to operating a cigar stand in the Capitol by a vote of 11 yeas and 11 nays.

The Senate failed to pass finally Senate Bill No. 223 by the following vote: Yeas, 10; nays, 15.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

# HOUSE BILL NO. 365 ON PAS- SAGE TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 365, A bill to be entitled "An Act defining the meaning of certain words, terms, and phrases used in the Act creating the Board of Public Utility Commissioners of Texas; prescribing its official seal; providing for the appointment, qualification, tenure, and removal from office of said commissioners; providing for the regulation, government, and supervision of public utilities and their functionings, and prescribing, defining and limiting the jurisdiction, powers, and duties of said board, its members, agents, and employes in connection therewith; levying a tax on public utilities and providing for its assessment and collection; etc., and declaring an emergency";

The bill having heretofore been read second time, with committee amendment by Mr. Graves, pending.

Mr. Pope offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 365 by striking out Sections 1 and 2 and insert in lieu thereof the following:

"Section 1. (a) The term 'corporation,' when used in this Act, means a private corporation, an association, a joint stock association, or a business trust.

"(b) The term 'person,' when used in this Act, means a natural person, a partnership, or two or more persons having a joint or common interest, and a corporation as hereinbefore defined.

"(c) The term 'commissioners court' or 'court,' when used in this Act, means the commissioners courts of this State, as defined and composed under Title 44 of the 1925 Revised Civil Statutes of Texas, with the amendments thereto, and with the additional duties and powers as herein contained.

"(d) The term 'city,' when used in this Act, means any incorporated city

or town of this State, whether incorporated under General or Special Law, and regardless of population.

"(e) The term 'governing body,' when used in this Act, means either the commissioners court or the city council or city commission or other governing body of any incorporated city or town of this State.

"(f) The term 'public utility' or 'utility,' as used in this Act, means, and includes persons, companies and private corporations, their lessees, trustees, and receivers, owning, managing, using, operating, leasing, or controlling within this State, any wires, pole lines, conduit lines, wells, franchise, license or permit for either one or more of the following kinds of business, to wit:

"X. Producing, manufacturing, or obtaining, transporting, conveying, distributing, or delivering gas—and by gas, as used in this Act, is meant natural gas, artificial gas, mixed gas, either or all for public use or service for compensation:

"(1) For sale to the public or municipalities or persons or companies, in those cases to which reference is hereinafter made, engaged in distributing or selling natural gas to the public, for sale or delivery of gas to any person or firm or corporation operating under franchise or a contract with any municipality or other legal subdivision of this State, or for sale or delivery of gas to the public for domestic or other use.

"(2) Owning or leasing or operating or managing or controlling a pipe line for the transportation or carriage of gas whether for public hire or not, if any part of the right of way for said line has been acquired or may hereafter be acquired by the exercise of the right of eminent domain, if said line or any part thereof is laid upon, over, or under any public road or highway of this State, or street or alley of any municipality or the right of way of any railroad or other public utility; including also any gas utility authorized by law to exercise the right of eminent domain.

"(3) Producing or purchasing gas and transporting or causing the same to be transported by pipe line to, into or near the limits of any municipality in which said gas is received and distributed or sold to the public by the public utility, another public utility or any said municipality.

"Y. Producing, generating, transmitting, conveying, distributing or de-

delivering electricity for the production of light, heat, or power for public use of service for compensation:

"(1) For sale to the public, or to municipalities, or persons, or corporations in cases to which reference is hereinafter made, engaged in distributing or selling electricity to the public, for sale or delivery of electricity to any person or firm or corporation operating under franchise or a contract with any municipality or other legal subdivision of this State or for sale or delivery of electricity to the public for domestic or other use.

"(2) Owning, leasing or operating, managing, controlling or using a transmission line, wires, conduits, or other appurtenances for the transportation, carriage or transmission of electricity, whether for public hire or not, if any part of the right of way, for said transmission lines has been acquired, or may hereafter be acquired by the exercise of the right of eminent domain, or if said line or any part thereof is laid upon, over, or under any public road or highway of this State, or street or alley of any municipality or the right of way of any railroad or other public utility, including any other utility authorized by law to exercise the right of eminent domain.

"(3) Producing or purchasing electric current and transmitting, delivering or causing the same to be transported or delivered by wires, conduit line, or other appurtenances to, into or near the limits of any municipality in which said electricity is received and distributed or sold to the public by the public utility, another public utility or by said municipality.

"Z. Conveying, carrying, or transmitting messages, conversations or communications by telephone or telegraph where such service is offered to the public for compensation:

"(1) Owning, leasing, operating, using or managing or controlling wires, wire lines, or conduit lines or other appurtenances for conveying or transmitting messages, conversations or communications by telephone or telegraph, whether for public hire or not, if any part of the right of way for said lines has been acquired or may hereafter be acquired by the exercise of the right of eminent domain or otherwise or if said lines or any part thereof are laid upon, over or under any public road or highway of

this State, or street or alley of any municipality, or the right of way of any railroad or other public utility, including also any utility authorized by law to exercise the right of eminent domain.

"(2) Owning, leasing, operating, managing, controlling or using wires, wire lines or conduit lines for the purpose of carrying, conveying or transmitting by telephone or telegraph messages, conversations or communications in, into or near the limits of any municipality in which said messages, conversations, or communications are received and transmitted or conveyed to the public utility or by another public utility or by said municipality.

"Sec. 2. The above definitions are cumulative only and not exclusive, and any person, except a municipal corporation, engaged in any phase of the gas, electric power, electric light, telephone or telegraph business, or any one or more such businesses, in such manner as to be affected with a public interest, is declared to be a public utility and subject to all the provisions of this Act.

"Sec. 3. The term 'public utility' shall, for rate making purposes only, include all those as hereinbefore defined, producing, generating, or furnishing any of the foregoing services to another person for distribution to or for the public for compensation, provided any person, partnership, association of persons, or corporation, who furnishes the utility services or commodities only for the use of the owner, employes or tenants, when such service or commodity is not resold to or used by others, is exempted from this Act.

"Sec. 4. The term 'public utility' shall not include a municipality or any person not otherwise a public utility, who furnishes the services or commodity only to himself, his employes or tenants when such service or commodity is not resold to or used by others.

"Sec. 5. The term 'rate,' when used in this Act, means and includes every compensation, charge, fare, toll, rental and classification or any of them, demanded, observed, charged or collected by any public utility for any service, product or commodity offered by it to the public or other public utility and any rules, regulations, practices or contracts affecting any such compensation, charge, fare, toll, rental or classification.



"Sec. 6. In addition to the duties now imposed upon and the powers of each commissioners court of this State, such commissioners court shall have the jurisdiction, powers and duties and shall exercise and perform the purposes and obligations imposed hereby, in so far as same relate to each respective public utility herein designated in the territory of each court of this State outside of the incorporated cities and towns of such county.

"Sec. 7. In addition to the duties now imposed upon and the powers of each incorporated city and town of this State, the governing body of such city or town shall have the jurisdiction, powers, and duties, and shall exercise and perform the purposes and obligations imposed hereby in so far as same relate to each respective public utility herein designated, in the territory of each such respective incorporated city or town.

"Sec. 8. After this Act takes effect no county commissioner, county judge, county clerk, county attorney, city councilman, city attorney, city commissioner, city secretary, mayor or business manager of any incorporated city or town in this State, who is primarily interested directly or indirectly as employe, stockholder, security holder or bondholder or trustee or shareholder, shall be eligible to take part in administering this Act or any part thereof.

"Sec. 9. After the next election after this Act becomes effective, before entering upon the duties of his office, each county commissioner, county judge, county attorney, city councilman or city commissioner, mayor or business manager, shall take and subscribe to the constitutional oath of office and shall in addition thereto swear he is not pecuniarily interested, directly or indirectly, in any public utility as herein defined as employe, stockholder, security holder, trustee, shareholder, or bondholder, and if any such officer thereafter becomes thus pecuniarily interested in any public utility he shall be subject to removal, as now provided by law, for the removal of county or city officers and no such officer shall be eligible to hold any other public office for two years after he has ceased to be such officer or a member of such commissioners court or city governing body.

"Sec. 10. The county clerk shall keep a full and true record of all pro-

ceedings of the commissioners court and perform such other duties as the commissioners court prescribe by virtue hereof. The city secretary shall keep a full and true record of all proceedings of city governing body and perform such other duties as the city governing body may prescribe by virtue hereof."

Mr. Graves moved to table the amendment by Mr. Pope.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

#### Yeas—99

Adamson	Jefferson
Adkins	Jones of Atascosa
Alsup	Jones of Falls
Ash	Jones of Runnels
Atchison	Jones of Shelby
Beck	Jones of Wise
Bourne	Keefe
Bradford	Knetsch
Burton	Lange
Butler of Karnes	Lanning
Cagle	Latham
Calvert	Leonard
Clayton	Lindsey
Collins	Lotief
Colquitt	Lucas
Cooper	Mauritz
Cowley	McConnell
Craddock	McFarland
Crossley	Moffett
Daniel	Morris
Davison of Fisher	Morrison
Davisson	Newton
of Eastland	Olsen
Dickison	Palmer
Dunlap of Hays	Patterson
England	Petsch
Fain	Reader
Fisher	Roach of Angelina
Ford	Roach of Hunt
Fox	Roane
Fuchs	Roark
Gibson	Roberts
Glass	Rogers
Good	Rutta
Graves	Settle
Greathouse	Shofner
Hanna	Smith
Harris of Archer	Spears
Harris of Dallas	Stanfield
Head	Steward
Herzik	Stinson
Hodges	Stovall
Hofheinz	Tarwater
Holland	Tennyson
Hunt	Thornton
Hyder	Tillery
James	Venable

Waggoner	Westfall	Davisson	Lucas
Walker	Wood of Montague	of Eastland	Luker
Wells	Worley	Dunlap of Hays	Mauritz
	Nays—32	England	McFarland
Aikin	Huddleston	Fisher	Moffett
Bergman	Hunter	Ford	Morris
Bradbury	Jackson	Fox	Padgett
Broyles	King	Fuchs	Palmer
Caldwell	Luker	Gibson	Patterson
Celaya	McKee	Glass	Payne
Colson	Morse	Greathouse	Petsch
Dunagan	Nicholson	Harris of Archer	Reader
Dunlap of Kleberg	Payne	Head	Roach of Hunt
Duvall	Pope	Herzik	Roane
Dwyer	Quinn	Hofheinz	Roark
Farmer	Reed of Bowie	Holland	Rogers
Frazer	Russell	Hunt	Rutta
Gray	Scarborough	Jones of Atascosa	Settle
Hardin	Wood of Harrison	Jones of Falls	Smith
Hill	Young	Jones of Runnels	Steward
	Absent	Jones of Shelby	Tarwater
Butler of Brazos	Lemens	Jones of Wise	Thornton
Fitzwater	Moore	Lange	Wells
Hartzog	Padgett	Lanning	Wood of Montague
Hoskins	Riddle	Lotief	Worley
Leath	Youngblood		Nays—72
	Absent—Excused	Adamson	Hyder
Alexander	Howard	Adkins	Jackson
Canon	McCalla	Aikin	James
Davis	McKinney	Bergman	Jefferson
Hankamer	Reed of Dallas	Bourne	Keefe
		Bradbury	King
		Broyles	Knetsch
		Butler of Brazos	Latham
		Butler of Karnes	Leonard
		Caldwell	Lindsey
		Celaya	McConnell
		Clayton	McKee
		Collins	Morrison
		Colquitt	Morse
		Colson	Newton
		Cooper	Nicholson
		Craddock	Olsen
		Davison of Fisher	Pope
		Dickison	Quinn
		Dunagan	Reed of Bowie
		Duvall	Roberts
		Fain	Russell
		Farmer	Scarborough
		Frazer	Shofner
		Good	Spears
		Graves	Stanfield
		Gray	Stinson
		Hanna	Stovall
		Hardin	Tennyson
		Harris of Dallas	Tillery
		Hartzog	Venable
		Hill	Waggoner
		Hodges	Walker
		Hoskins	Westfall
		Huddleston	Wood of Harrison
		Hunter	Young
			Absent
		Ash	Dwyer
		Dunlap of Kleberg	Fitzwater

Mr. Jones of Atascosa moved the previous question on the committee amendments and the passage of House Bill No. 365 to engrossment, and the motion was duly seconded.

Mr. Pope raised a point of order on further consideration of the motion by Mr. Jones of Atascosa, on the ground that if the main question is ordered at this time, it will prohibit a fair and free discussion of House Bill No. 365, thereby violating the constitutional provision that each bill shall be given a fair and free discussion in each house before passage.

The Speaker overruled the point of order.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—59

Alsup	Cagle
Atchison	Calvert
Beck	Cowley
Bradford	Crossley
Burton	Daniel

Leath	Riddle
Lemens	Roach of Angelina
Moore	Youngblood

## Absent—Excused

Alexander	Howard
Canon	McCalla
Davis	McKinney
Hankamer	Reed of Dallas

Mr. Reed of Bowie moved that the House Rule, which relates to the time allotted for debate, be suspended, at this time, for the purpose of making a motion that the debate on amendments, offered to House Bill No. 365, be limited to five minutes.

The motion was lost (not receiving the necessary two-thirds vote) by the following vote:

## Yeas—76

Adamson	Lindsey
Alsup	Lotief
Burton	Lucas
Cagle	Luker
Calvert	Mauritz
Clayton	McConnell
Cowley	McFarland
Craddock	Moffett
Daniel	Morris
Davison of Fisher	Newton
Davisson	Padgett
of Eastland	Patterson
Dunlap of Hays	Payne
England	Petsch
Fain	Quinn
Fisher	Reader
Ford	Reed of Bowie
Fox	Roach of Hunt
Fuchs	Roark
Gibson	Rogers
Glass	Rutta
Good	Settle
Graves	Shofner
Gray	Stanfield
Greathouse	Steward
Harris of Archer	Stinson
Head	Stovall
Hodges	Tarwater
Hofheinz	Tennyson
Hunter	Thornton
Jefferson	Tillery
Jones of Falls	Venable
Jones of Runnels	Waggoner
Jones of Shelby	Walker
Jones of Wise	Wells
Keefe	Wood of Montague
Knetsch	Young
Lanning	Youngblood
Lemens	

## Nays—45

Aikin	Bourne
Beck	Bradbury
Bergman	Bradford

Broyles	Hyder
Butler of Karnes	Jackson
Caldwell	James
Celaya	Jones of Atascosa
Collins	King
Colquitt	Latham
Cooper	Leonard
Crossley	McKee
Dickison	Morrison
Dunagan	Nicholson
Farmer	Olsen
Frazer	Palmer
Hanna	Pope
Hardin	Roach of Angelina
Harris of Dallas	Roberts
Hartzog	Russell
Hill	Scarborough
Holland	Westfall
Hoskins	Wood of Harrison
Huddleston	

## Absent

Adkins	Hunt
Ash	Lange
Atchison	Leath
Butler of Brazos	Moore
Colson	Morse
Dunlap of Kleberg	Riddle
Duvall	Roane
Dwyer	Smith
Fitzwater	Spears
Herzik	

## Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Reed of Dallas
Hankamer	Worley
Howard	

Mr. Hunt moved the previous question on the pending amendments, amendments on the Speaker's desk, and the passage of House Bill No. 365 to engrossment, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The motion was lost by the following vote:

## Yeas—51

Alsup	Greathouse
Ash	Harris of Archer
Beck	Head
Burton	Herzik
Cagle	Hodges
Collins	Holland
Crossley	Hunt
Dunlap of Hays	Jones of Falls
Fisher	Jones of Runnels
Ford	Jones of Shelby
Fox	Jones of Wise
Fuchs	Keefe
Gibson	Lanning
Glass	Lemens

Lindsey	Roark
Lucas	Rutta
Luker	Shofner
Mauritz	Steward
Moffett	Tarwater
Morris	Thornton
Padgett	Walker
Patterson	Wells
Quinn	Wood of Montague
Reader	Worley
Roach of Hunt	Youngblood
Roane	

## Nays—78

Adamson	Jackson
Aikin	James
Bergman	Jefferson
Bourne	Jones of Atascosa
Bradbury	King
Broyles	Knetsch
Butler of Brazos	Latham
Butler of Karnes	Leonard
Caldwell	Lotief
Calvert	McConnell
Celaya	McFarland
Clayton	McKee
Colquitt	Morrison
Cooper	Morse
Cowley	Newton
Craddock	Nicholson
Daniel	Olsen
Davison of Fisher	Palmer
Davisson	Payne
of Eastland	Petsch
Dickison	Pope
Dunagan	Reed of Bowie
Duvall	Reed of Dallas
England	Roach of Angelina
Fain	Roberts
Farmer	Rogers
Frazer	Russell
Good	Scarborough
Graves	Settle
Gray	Smith
Hanna	Stinson
Hardin	Stovall
Harris of Dallas	Tennyson
Hartzog	Tillery
Hill	Venable
Hofheinz	Waggoner
Hoskins	Westfall
Huddleston	Wood of Harrison
Hunter	Young
Hyder	

## Absent

Adkins	Lange
Atchison	Leath
Bradford	Moore
Colson	Riddle
Dunlap of Kleberg	Spears
Dwyer	Stanfield
Fitzwater	

## Absent—Excused

Alexander	Davis
Canon	Hankamer

Howard	McKinney
McCalla	

Mr. Butler of Brazos offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 365 by striking out Subdivision (d) of Section 1, page 3, and inserting in lieu thereof the following:

"(d) The term 'public utility' when used in this Act includes persons, corporations and municipalities, or their lessees, trustees or receivers, now or hereafter owning or operating in this State equipment or facilities for".

Question—Shall the amendment by Mr. Butler of Brazos be adopted?

## RECESS

On motion of Mr. Daniel, the House, at 12 o'clock m., took recess to 2 o'clock p. m., today.

## AFTERNOON SESSION

The House met at 2 o'clock p. m., and was called to order by the Speaker.

LEAVE OF ABSENCE GRANTED  
(By Unanimous Consent)

Mr. Worley was granted leave of absence for this afternoon on account of illness, on motion of Mr. Hyder.

## MESSAGES FROM THE GOVERNOR

Mr. Edward Clark, secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following messages from the Governor, which were read to the House, as follows:

Executive Office,

Austin, Texas, April 16, 1935.

To the Forty-fourth Legislature of Texas:

I feel it my duty to direct your attention to conditions existing in the western portion of our State. Three extremely dry years with continuous wind of high velocity have brought desolation to an extensive area which theretofore enjoyed enviable prosperity. This condition has been aggravated seriously by similar disasters in neighboring States and through the middle section of the United States. In a number of counties in this State the soil is being destroyed rapidly by wind erosion and throughout the en-

tire State and particularly in the northwestern portion the health of our people is being menaced seriously by unprecedented dust storms that have originated beyond the borders of Texas and swept across our State with accelerated fury. The soil is our most valuable natural resource; the public health is a matter of most vital concern.

It therefore behooves the legislative branch of government to set up appropriate agencies to minimize the evil effects of this disaster. That one section of the country most susceptible to wind erosion and the generation of dust storms can contaminate other sections not susceptible under the same conditions of drouth and wind is a matter of common knowledge. Unquestionably, Texas soil has been depreciated by reason of erosion in other States. Vast areas of land not subject to erosion on their own accord are being destroyed by reason of erosion originating on other lands within and without the State. The problem is therefore an interstate problem and I am glad to say that it is being seriously considered by the Federal Government. Texas must co-operate with the Federal Government and to do so we must have duly constituted agencies authorized by law to act.

Section 59-a, Article XVI of the Constitution of Texas, authorizes the creation of the necessary agencies for the conservation of natural resources. I think we are confronted with an emergency and I therefore respectfully suggest the enactment of appropriate legislation to set in motion activities that will minimize the disaster that is impending. By intelligent action we can prevent much damage and in my opinion this Session of the Legislature should not adjourn until such action is taken.

Respectfully submitted,

WALTER F. WOODUL,  
Acting Governor of Texas.

Executive Office,  
Austin, Texas, April 16, 1935.  
To the Members of the Forty-fourth  
Legislature:

At the request of the authorities of the Reconstruction Finance Corporation in Texas, I am submitting to you for your action, bill herewith attached authorizing the R. F. C. Mortgage Corporation, or any other corporation whose stock is entirely subscribed for and owned by the United States of

America, to do business in the State of Texas without the payment of any filing fees, franchise taxes, or other taxes imposed by the State of Texas upon corporations.

I trust that some of the membership of the House and Senate, respectively, will kindly sign and introduce the attached bills.

Respectfully submitted,

WALTER F. WOODUL,  
Acting Governor of Texas.

#### MESSAGE FROM THE SENATE

Senate Chamber,  
Austin, Texas, April 16, 1935.

Hon. Coke Stevenson, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate Bill No. 324 by the following vote: Yeas, 26; nays, 0.

The Senate has adopted

H. C. R. No. 81, Relative to a Joint Session of the Legislature on Wednesday, April 17, to hear an address by Hon. James E. Blaine.

The Senate has concurred in House amendments to Senate Bill No. 135 by the following vote: Yeas, 26; nays, 0.

Respectfully,

BOB BARKER,  
Secretary of the Senate.

#### ADOPTION OF CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 361

The Speaker laid before the House, for consideration at this time, the conference committee report on Senate Bill No. 361;

The report having been printed in the Journal on Thursday, April 11.

Mr. Glass moved that the report be adopted.

Mr. Good moved that the report be not adopted and that the same conference committee be retained with instruction to strike out Section 31 of the bill.

On motion of Mr. Hoskins, the motion by Mr. Good was tabled.

The conference committee report on Senate Bill No. 361 was then adopted by the following vote:

Yeas—103

Adamson	Alsup
Adkins	Ash

Atchison	Knetsch
Bourne	Lanning
Bradbury	Latham
Bradford	Lemens
Broyles	Leonard
Burton	Lindsey
Butler of Brazos	Lotief
Cagle	Luker
Caldwell	Mauritz
Celaya	McConnell
Clayton	McFarland
Collins	McKee
Cooper	Moore
Craddock	Morris
Crossley	Morrison
Davison of Fisher	Newton
Davisson	Nicholson
of Eastland	Olsen
Dickison	Padgett
Dunagan	Palmer
Dunlap of Hays	Patterson
Fain	Payne
Fisher	Petsch
Fitzwater	Pope
Fox	Quinn
Fuchs	Roach of Angelina
Gibson	Roach of Hunt
Glass	Roark
Graves	Roberts
Gray	Rogers
Greathouse	Rutta
Hanna	Scarborough
Hardin	Settle
Harris of Dallas	Shofner
Head	Smith
Herzik	Stanfield
Hill	Steward
Hodges	Stinson
Holland	Stovall
Hoskins	Tarwater
Howard	Tennyson
Hunter	Thornton
Jackson	Tillery
James	Waggoner
Jones of Atascosa	Walker
Jones of Falls	Wells
Jones of Runnels	Westfall
Jones of Shelby	Wood of Montague
Jones of Wise	Young
King	Youngblood

## Nays—13

Aikin	Hunt
Bergman	Keefe
Daniel	Lucas
Farmer	Russell
Good	Venable
Harris of Archer	Wood of Harrison
Hofheinz	

## Present—Not Voting

Roane

## Absent

Beck	Calvert
Butler of Karnes	Colquitt

Colson	Hyder
Cowley	Lange
Dunlap of Kleberg	Leath
Duvall	Moffett
Dwyer	Morse
England	Reed of Bowie
Ford	Riddle
Frazer	Spears
Huddleston	

## Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Reader
Hankamer	Reed of Dallas
Hartzog	Worley
Jefferson	

HOUSE BILL NO. 365 ON PASSAGE  
TO ENGROSSMENT

The House resumed consideration of pending business, same being House Bill No. 365, relative to the creating of a Public Utility Commission;

The bill having heretofore been read second time, with committee amendment by Mr. Graves, and amendment by Mr. Butler of Brazos to the committee amendment, pending.

(Mr. Walker in the Chair.)

Mr. Head moved to table the amendment by Mr. Butler of Brazos.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

## Yeas—54

Adkins	Jones of Atascosa
Alsup	Jones of Wise
Bourne	Keefe
Bradbury	Knetsch
Burton	Lange
Cagle	Lanning
Calvert	Lemens
Craddock	Lindsey
Daniel	Lotief
Davisson	Mauritz
of Eastland	McConnell
England	McFarland
Fisher	Moore
Fox	Morrison
Fuchs	Padgett
Gibson	Palmer
Glass	Payne
Graves	Petsch
Gray	Roach of Angelina
Harris of Archer	Roane
Head	Roark
Hodges	Rogers
Hofheinz	Shofner
Hunt	Stovall

Tarwater  
Tennyson  
Venable  
Wells

Westfall  
Wood of Montague  
Youngblood

Nays—58

Adamson	Hill
Aikin	Hoskins
Ash	Howard
Atchison	Hunter
Beck	James
Bergman	Jones of Falls
Bradford	Jones of Runnels
Broyles	King
Butler of Brazos	Latham
Butler of Karnes	Leonard
Celaya	Lucas
Collins	McKee
Colquitt	Morse
Colson	Newton
Cooper	Patterson
Crossley	Reed of Bowie
Davison of Fisher	Reed of Dallas
Dickison	Roberts
Dunagan	Russell
Dunlap of Hays	Rutta
Duvall	Settle
Dwyer	Smith
Fain	Steward
Farmer	Stinson
Frazer	Thornton
Greathouse	Tillery
Hanna	Waggoner
Hardin	Wood of Harrison
Harris of Dallas	Young

Present—Not Voting

Good  
Herzik

Quinn

Absent

Caldwell	Luker
Clayton	Moffett
Cowley	Morris
Dunlap of Kleberg	Nicholson
Fitzwater	Olsen
Ford	Pope
Holland	Riddle
Huddleston	Roach of Hunt
Hyder	Scarborough
Jackson	Spears
Jones of Shelby	Stanfield
Leath	Walker

Absent—Excused

Alexander	Jefferson
Canon	McCalla
Davis	McKinney
Hankamer	Reader
Hartzog	Worley

Paired

Mr. Good (present), who would vote "yea," with Mr. Caldwell (absent) who would vote "nay."

Question recurring on the amendment, by Mr. Butler of Brazos, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—48

Adamson	Harris of Dallas
Aikin	Hill
Beck	Hoskins
Bergman	Howard
Bradford	Hunter
Broyles	James
Butler of Brazos	King
Butler of Karnes	Latham
Celaya	Leonard
Clayton	Lucas
Collins	McKee
Colquitt	Morse
Cooper	Newton
Crossley	Nicholson
Davison of Fisher	Reed of Bowie
Dickison	Roberts
Dunagan	Russell
Dunlap of Hays	Smith
Duvall	Steward
Dwyer	Thornton
Farmer	Tillery
Frazer	Waggoner
Hanna	Wood of Harrison
Hardin	Young

Nays—69

Adkins	Jones of Runnels
Alsup	Jones of Wise
Atchison	Keefe
Bourne	Knetsch
Bradbury	Lange
Burton	Lanning
Cagle	Lemens
Calvert	Lindsey
Colson	Lotief
Craddock	Mauritz
Daniel	McConnell
Davisson	McFarland
of Eastland	Moore
England	Morris
Fain	Morrison
Fisher	Padgett
Fitzwater	Palmer
Fox	Patterson
Fuchs	Payne
Gibson	Petsch
Glass	Pope
Graves	Quinn
Gray	Roach of Angelina
Greathouse	Roach of Hunt
Harris of Archer	Roane
Head	Roark
Herzik	Rogers
Hodges	Rutta
Hofheinz	Settle
Hunt	Shofner
Jones of Atascosa	Stovall
Jones of Falls	Tarwater

Tennyson  
Venable  
Wells

Westfall  
Wood of Montague  
Youngblood

Present—Not Voting

Good

Absent

Ash	Leath
Caldwell	Luker
Cowley	Moffett
Dunlap of Kleberg	Olsen
Ford	Riddle
Holland	Scarborough
Huddleston	Spears
Hyder	Stanfield
Jackson	Stinson
Jones of Shelby	Walker

Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Reader
Hankamer	Reed of Dallas
Hartzog	Worley
Jefferson	

Paired

Mr. Good (present), who would vote "nay," with Mr. Caldwell (absent), who would vote "yea."

Mr. Lange moved to reconsider the vote by which the amendment by Mr. Butler of Brazos was lost, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Pope offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 365 by striking out lines 34, 35, 36, and the first half of line 37, page 3, and inserting in lieu thereof the following:

"The term 'public utility' shall not include any person who furnishes a utility service or commodity to himself, or who furnishes such service or commodity to his employes or tenants without profit, when such service or commodity is not resold to others."

Mr. Hofheinz offered the following substitute for the amendment by Mr. Pope:

Amend committee amendment to House Bill No. 365 by inserting between the words "commodity" and "only," in line 35, page 3, the words "without profit."

HOFHEINZ,  
CALVERT.

Mr. Pope moved to table the substitute amendment by Mr. Hofheinz.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—20

Aikin	Greathouse
Bergman	Hardin
Broyles	Hill
Butler of Brazos	Hoskins
Caldwell	Hunter
Celaya	James
Colson	Olsen
Dwyer	Pope
Farmer	Wood of Harrison
Frazer	Young

Nays—89

Adamson	Keefe
Adkins	King
Alsup	Knetsch
Ash	Lange
Atchison	Lanning
Beck	Latham
Bourne	Lemens
Bradbury	Lindsey
Burton	Lotief
Butler of Karnes	Lucas
Cagle	Mauritz
Calvert	McConnell
Collins	McFarland
Colquitt	Moffett
Cooper	Moore
Craddock	Morris
Crossley	Newton
Davisson	Palmer
of Eastland	Patterson
Dickison	Payne
Dunlap of Hays	Petsch
England	Quinn
Fain	Reader
Fisher	Reed of Bowie
Fitzwater	Roach of Angelina
Fox	Roach of Hunt
Fuchs	Roane
Gibson	Roark
Glass	Roberts
Good	Rogers
Graves	Rutta
Gray	Shofner
Hanna	Smith
Harris of Archer	Steward
Head	Stinson
Herzik	Stovall
Hodges	Tarwater
Hofheinz	Tennyson
Howard	Thornton
Hunt	Tillery
Jones of Atascosa	Waggoner
Jones of Falls	Wells
Jones of Runnels	Westfall
Jones of Shelby	Wood of Montague
Jones of Wise	Youngblood



## Absent

Bradford	Leonard
Clayton	Luker
Cowley	McKee
Daniel	Morrison
Davison of Fisher	Morse
Dunagan	Nicholson
Dunlap of Kleberg	Padgett
Duvall	Riddle
Ford	Russell
Harris of Dallas	Scarborough
Holland	Settle
Huddleston	Spears
Hyder	Stanfield
Jackson	Venable
Leath	Walker

## Absent—Excused

Alexander	Jefferson
Canon	McCalla
Davis	McKinney
Hankamer	Reed of Dallas
Hartzog	Worley

Question recurring on the substitute amendment by Mr. Hofheinz, yeas and nays were demanded.

The substitute amendment was adopted by the following vote:

## Yeas—97

Adamson	Hardin
Adkins	Harris of Archer
Alsup	Head
Atchison	Herzik
Beck	Hodges
Bourne	Hofheinz
Bradbury	Howard
Burton	Hunt
Butler of Karnes	Hunter
Cagle	James
Calvert	Jones of Atascosa
Collins	Jones of Falls
Cooper	Jones of Runnels
Craddock	Jones of Shelby
Crossley	Jones of Wise
Davison	Keefe
of Eastland	King
Dickison	Knetsch
Dunlap of Hays	Lange
England	Lanning
Fain	Latham
Farmer	Lemens
Fisher	Lindsey
Fitzwater	Lotief
Fox	Lucas
Fuchs	Mauritz
Gibson	McConnell
Glass	McFarland
Graves	McKee
Gray	Moffett
Greathouse	Moore
Hanna	Morris

Morrison	Rutta
Newton	Settle
Nicholson	Shofner
Olsen	Smith
Palmer	Steward
Patterson	Stinson
Payne	Stovall
Petsch	Tarwater
Quinn	Tennyson
Reader	Thornton
Reed of Bowie	Tillery
Roach of Angelina	Waggoner
Roach of Hunt	Wells
Roane	Westfall
Roark	Wood of Montague
Roberts	Young
Rogers	Youngblood

## Nays—10

Aikin	Dwyer
Bergman	Frazer
Broyles	Hill
Butler of Brazos	Pope
Colson	Wood of Harrison

## Absent

Ash	Hoskins
Bradford	Huddleston
Caldwell	Hyder
Celaya	Jackson
Clayton	Leath
Colquitt	Leonard
Cowley	Luker
Daniel	Morse
Davison of Fisher	Padgett
Dunagan	Riddle
Dunlap of Kleberg	Russell
Duvall	Scarborough
Ford	Spears
Good	Stanfield
Harris of Dallas	Venable
Holland	Walker

## Absent—Excused

Alexander	Jefferson
Canon	McCalla
Davis	McKinney
Hankamer	Reed of Dallas
Hartzog	Worley

The amendment as substituted was then adopted.

Mr. Quinn moved that the House Rule, which relates to the time allotted for debate, be suspended at this time for the purpose of making a motion that the debate on the amendments to House Bill No. 365, be limited to three minutes.

The roll of the House was called on the above motion, and the vote announced as follows: Yeas, 76; nays, 33.

Mr. Aikin called for a verification of the vote.

The roll of the yeas and nays was then called, and the verified vote resulted as follows:

## Yeas—76

Adamson	Lanning
Adkins	Latham
Alsup	Lemens
Ash	Lindsey
Atchison	Lotief
Beck	Lucas
Burton	Luker
Butler of Brazos	Mauritz
Cagle	McConnell
Calvert	McFarland
Craddock	Moffett
Davisson	Morris
of Eastland	Newton
Dunlap of Hays	Padgett
England	Patterson
Fain	Payne
Fisher	Petsch
Fox	Quinn
Fuchs	Reader
Gibson	Reed of Bowie
Glass	Roach of Angelina
Graves	Roach of Hunt
Gray	Roane
Harris of Archer	Roark
Head	Rogers
Herzik	Rutta
Hodges	Settle
Hofheinz	Shofner
Howard	Smith
Hunt	Tarwater
Jackson	Tennyson
Jones of Atascosa	Thornton
Jones of Falls	Tillery
Jones of Runnels	Wells
Jones of Shelby	Westfall
Jones of Wise	Wood of Montague
Keefe	Young
Knetsch	Youngblood
Lange	

## Nays—34

Aikin	Frazer
Bergman	Good
Bourne	Greathouse
Bradbury	Hanna
Broyles	Hardin
Butler of Karnes	Hill
Caldwell	James
Collins	McKee
Colquitt	Morrison
Colson	Nicholson
Cooper	Olsen
Crossley	Pope
Dickison	Roberts
Dunagan	Russell
Duvall	Steward
Farmer	Stovall
Fitzwater	Wood of Harrison

## Absent

Bradford	Clayton
Celaya	Cowley

Daniel	Leonard
Davison of Fisher	Moore
Dunlap of Kleberg	Morse
Dwyer	Palmer
Ford	Riddle
Harris of Dallas	Scarborough
Holland	Spears
Hoskins	Stanfield
Huddleston	Stinson
Hunter	Venable
Hyder	Waggoner
King	Walker
Leath	

## Absent—Excused

Alexander	Jefferson
Canon	McCalla
Davis	McKinney
Hankamer	Reed of Dallas
Hartzog	Worley

The Chair announced that the motion to suspend the Rule prevailed.

Mr. Quinn then moved that debate on all amendments offered to House Bill No. 365 be limited to three minutes for each speaker.

Mr. Pope raised a point of order on further consideration of the motion by Mr. Quinn, on the ground that to limit debate on the amendments to House Bill No. 365 would be in violation of Section 32, of Article III, of the Constitution.

The Chair overruled the point of order.

Mr. Pope raised the further point of order on consideration of the motion by Mr. Quinn, on the ground that same is in effect an amendment to the Rules of the House, and that same can only be done by a resolution.

The Chair overruled the point of order.

Question recurring on the above motion by Mr. Quinn, yeas and nays were demanded.

The motion prevailed by the following vote:

## Yeas—83

Adamson	Dickison
Adkins	Dunlap of Hays
Alsup	England
Ash	Fain
Atchison	Fisher
Beck	Fitzwater
Burton	Ford
Cagle	Fox
Calvert	Fuchs
Clayton	Gibson
Craddock	Glass
Davison of Fisher	Graves
Davisson	Gray
of Eastland	Greathouse

Harris of Archer	Newton
Head	Padgett
Herzik	Palmer
Hodges	Patterson
Hofheinz	Payne
Holland	Petsch
Howard	Quinn
Hunt	Reed of Bowie
Jones of Atascosa	Roach of Angelina
Jones of Falls	Roach of Hunt
Jones of Runnels	Roane
Jones of Shelby	Roark
Jones of Wise	Rogers
Keefe	Rutta
Knetsch	Shofner
Lange	Smith
Lanning	Steward
Lemens	Stinson
Lindsey	Tarwater
Lotief	Tennyson
Lucas	Thornton
Luker	Tillery
Mauritz	Venable
McConnell	Waggoner
McFarland	Wells
Moffett	Westfall
Moore	Wood of Montague
Morris	Youngblood

## Nays—38

Aikin	Hanna
Bergman	Hardin
Bourne	Hoskins
Bradbury	Hunter
Broyles	Hyder
Butler of Karnes	Jackson
Caldwell	James
Celaya	Latham
Collins	Leonard
Colquitt	McKee
Colson	Morrison
Cooper	Morse
Crossley	Nicholson
Dunagan	Pope
Duvall	Roberts
Dwyer	Russell
Farmer	Settle
Frazer	Wood of Harrison
Good	Young

## Absent

Bradford	Leath
Butler of Brazos	Olsen
Cowley	Riddle
Daniel	Scarborough
Dunlap of Kleberg	Spears
Harris of Dallas	Stanfield
Hill	Stovall
Huddleston	Walker
King	

## Absent—Excused

Alexander	Hankamer
Canon	Hartzog
Davis	Jefferson

McCalla	Reed of Dallas
McKinney	Worley
Reader	

Mr. Pope offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 365 by striking out paragraph (e) at top of page 4 and inserting in lieu thereof the following:

“(e) The term ‘rate’ when used in this Act means and includes every compensation, charge, fare, toll, rental and classification, or any of them, demanded, observed, charged or collected by any public utility for any service, product, or commodity offered by it to the public.”

The amendment was adopted.

Mr. Pope offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 365 by striking out lines 11 to 40, inclusive, on page 4, and lines 1 to 31, inclusive, on page 5.

Mr. Hofheinz moved to table the amendment by Mr. Pope.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—98

Adamson	Fitzwater
Adkins	Ford
Aikin	Fox
Alsup	Fuchs
Atchison	Gibson
Beck	Glass
Bergman	Good
Bourne	Graves
Bradbury	Gray
Broyles	Greathouse
Burton	Hanna
Butler of Karnes	Harris of Archer
Cagle	Head
Celaya	Herzik
Clayton	Hodges
Collins	Hofheinz
Colquitt	Holland
Cooper	Huddleston
Craddock	Hunt
Crossley	James
Davison of Fisher	Jones of Falls
Davisson	Jones of Runnels
of Eastland	Jones of Shelby
Dunagan	Jones of Wise
Dunlap of Hays	Keefe
England	Knetsch
Fain	Lange
Fisher	Lanning

Lemens	Roach of Angelina
Lindsey	Roach of Hunt
Lotief	Roane
Lucas	Roark
Luker	Rogers
McConnell	Rutta
McFarland	Settle
Moffett	Shofner
Moore	Smith
Morris	Steward
Morrison	Stinson
Newton	Stovall
Nicholson	Tarwater
Olsen	Thornton
Padgett	Tillery
Palmer	Venable
Patterson	Waggoner
Payne	Wells
Petsch	Westfall
Quinn	Wood of Montague
Reader	Youngblood
Reed of Dallas	

## Nays—10

Caldwell	Pope
Colson	Reed of Bowie
Farmer	Russell
Hardin	Wood of Harrison
McKee	Young

## Absent

Ash	Hyder
Bradford	Jackson
Butler of Brazos	Jones of Atascosa
Calvert	King
Cowley	Latham
Daniel	Leath
Dickison	Leonard
Dunlap of Kleberg	Mauritz
Duvall	Morse
Dwyer	Riddle
Frazer	Roberts
Harris of Dallas	Scarborough
Hill	Spears
Hoskins	Stanfield
Howard	Tennyson
Hunter	Walker

## Absent—Excused

Alexander	Jefferson
Canon	McCalla
Davis	McKinney
Hankamer	Worley
Hartzog	

Mr. Pope offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 365 by striking out Subdivisions (1), (2), (3), (4), (5), (6), (7), (8), (9), and (10), pages 35, 36, 37, and 38, and inserting in lieu thereof the following:

“(1) In addition to the other powers and duties of the Commission enumerated in this Act, the Commission, in fixing rates, shall have the authority to determine the reasonableness of any expenditure by any utility to any other corporation for supervision or advice with reference to management, engineering or finance, or the reasonableness of any expenditure to any corporation for its service in the purchase of any goods, wares, merchandise, equipment, or property, or the reasonableness of any contract for the sale or purchase of any commodities or service for resale to the public. The Commission may refuse to allow as a proper item of operating expense of a utility such portion of any expenditures as it may find to be unreasonable; provided, however, that if such proposed contract for such services is first submitted to the Commission and approved by it, the expenditures shall be allowed as a reasonable operating expense; and provided further, that the Commission may, after notice and hearing, withdraw its approval of such contracts and discontinue the allowance of such expenditure as a proper operating expense if, upon actual experience under such contracts, it appears that the payments provided for are unreasonable or unnecessary.

“(2) Any two or more public utilities furnishing like service in the same city or locality may merge or consolidate their facilities or any part thereof, or any such public utility may lease, sell, or otherwise dispose of its plant or business, or any part thereof, to any other public utility doing or authorized to do a like business within such city or locality, provided the Commission, after notice and hearing, determine such consolidation, merger, sale, lease, or other disposition to be in the public interest and enters an order approving the same; providing further, that no municipality shall sell or dispose of a municipally-owned utility without first obtaining the approval of a majority of the qualified voters of such city or town at an election held for that purpose.”

Mr. Hofheinz moved to table the amendment by Mr. Pope.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

## Yeas—96

Adamson	Lange
Adkins	Lanning
Aikin	Leath
Alsup	Lemens
Beck	Lindsey
Bergman	Lotief
Bourne	Lucas
Broyles	Mauritz
Burton	McConnell
Butler of Karnes	McFarland
Cagle	Moffett
Calvert	Moore
Clayton	Morris
Collins	Morrison
Craddock	Newton
Crossley	Nicholson
Davison of Fisher	Olsen
Davisson	Padgett
of Eastland	Palmer
Dickison	Patterson
Dunlap of Hays	Payne
England	Petsch
Fain	Quinn
Fisher	Reader
Fitzwater	Reed of Bowie
Fox	Reed of Dallas
Fuchs	Roach of Angelina
Gibson	Roach of Hunt
Glass	Roane
Graves	Roark
Gray	Roberts
Greathouse	Rogers
Harris of Archer	Rutta
Head	Settle
Herzik	Shofner
Hodges	Smith
Hofheinz	Steward
Holland	Stinson
Hoskins	Stovall
Howard	Tarwater
Huddleston	Thornton
Hunt	Tillery
Jones of Atascosa	Venable
Jones of Falls	Waggoner
Jones of Runnels	Wells
Jones of Shelby	Westfall
Jones of Wise	Wood of Montague
Keefe	Youngblood
Knetsch	

## Nays—13

Bradbury	Hardin
Caldwell	Luker
Colquitt	Pope
Colson	Russell
Dunagan	Wood of Harrison
Farmer	Young
Hanna	

## Absent

Ash	Cooper
Atchison	Cowley
Bradford	Daniel
Butler of Brazos	Davis
Celaya	Dunlap of Kleberg

Duvall	King
Dwyer	Latham
Ford	Leonard
Frazer	McKee
Good	Morse
Harris of Dallas	Riddle
Hill	Scarborough
Hunter	Spears
Hyder	Stanfield
Jackson	Tennyson
James	Walker

## Absent—Excused

Alexander	Jefferson
Canon	McCalla
Hankamer	McKinney
Hartzog	Worley

Mr. Pope offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 365 by striking out Subsection (1) of Section 2, page 5, and inserting in lieu thereof the following:

"A Commission, to be known as the 'Public Utility Commission of Texas,' is hereby created. It shall consist of three members, one of whom shall be appointed by the Governor, one by the Lieutenant Governor, and one by the Speaker of the House of Representatives, each of whom shall serve until the first Tuesday in January, 1937. At the general election in 1936 Commissioners shall be selected by the voters of Texas to succeed the Commission so appointed; provided, that any appointee may be a candidate to succeed himself. The Commissioners elected at the next general election shall draw lots for terms, and one shall serve for two years, one for four years, and the other for six years. Thereafter each Commission, when duly elected, shall serve for a term of six years. The Commissioners shall select one of their number as chairman, whose term shall expire the first Tuesday in January next after each general election."

Question recurring on the amendment by Mr. Pope, yeas and nays were demanded.

The amendment was lost by the following vote:

## Yeas—31

Aikin	Butler of Brazos
Bergman	Caldwell
Bradbury	Colquitt
Broyles	Colson

Dickison	Luker
Dunagan	Moffett
Dwyer	Morrison
Farmer	Morse
Glass	Pope
Good	Reed of Bowie
Gray	Russell
Hanna	Scarborough
Hardin	Tillery
Hoskins	Wood of Harrison
Jackson	Young
James	

## Nays—90

Adamson	Lanning
Adkins	Leath
Alsup	Lemens
Beck	Leonard
Bourne	Lindsey
Burton	Lotief
Butler of Karnes	Lucas
Cagle	Mauritz
Calvert	McConnell
Clayton	McFarland
Collins	McKee
Cowley	Moore
Craddock	Morris
Crossley	Newton
Daniel	Nicholson
Davison of Fisher	Olsen
Davisson	Padgett
of Eastland	Palmer
Dunlap of Hays	Patterson
England	Payne
Fain	Quinn
Fisher	Reader
Fitzwater	Reed of Dallas
Fox	Roach of Angelina
Fuchs	Roach of Hunt
Gibson	Roane
Graves	Roark
Greathouse	Roberts
Harris of Archer	Rogers
Harris of Dallas	Rutta
Head	Settle
Herzik	Shofner
Hodges	Smith
Hofheinz	Stanfield
Holland	Steward
Howard	Stinson
Huddleston	Stovall
Hunt	Tarwater
Jones of Atascosa	Thornton
Jones of Falls	Venable
Jones of Runnels	Waggoner
Jones of Shelby	Wells
Jones of Wise	Westfall
Keefe	Wood of Montague
Knetsch	Youngblood
Lange	

## Absent

Ash	Davis
Atchison	Dunlap of Kleberg
Bradford	Duvall
Celaya	Ford
Cooper	Frazer

Hill	Petsch
Hunter	Riddle
Hyder	Spears
King	Tennyson
Latham	Walker

## Absent—Excused

Alexander	Jefferson
Canon	McCalla
Hankamer	McKinney
Hartzog	Worley

Mr. Pope offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 365, page 6, by striking out Subsection (2) and inserting in lieu thereof the following:

"(2) Before entering upon the duties of his office, each member of the Commission shall take and subscribe to the constitutional oath of office, and shall, in addition thereto, swear that he is not pecuniarily interested in any public utility as herein defined, in any manner whatsoever; and if any such member thereafter voluntarily becomes thus pecuniarily interested in any public utility, he shall thereby forfeit his office and shall be removed by quo warranto proceedings instituted by the Attorney General, or by the district or county attorney in any District Court of Travis County, Texas; and such vacancy shall be filled as provided herein. If any member voluntarily becomes pecuniarily interested in any public utility during his term of office he shall be deemed guilty of a felony, and upon conviction therefor shall be punished by a fine of not less than two thousand dollars (\$2,000) nor more than ten thousand dollars (\$10,000), or by imprisonment for not less than two years nor more than ten years, or by both such fine and imprisonment. If any member becomes pecuniarily interested in any public utility otherwise than voluntarily, he shall, within a reasonable time, divest himself of such interest; failing to do so, he shall thereby forfeit such office and shall be removed by quo warranto proceedings instituted by the Attorney General, or by the District or County Attorney in any District Court in Travis County, Texas; and the Governor shall fill such vacancy as in other cases provided by law. No member shall hold any elective office for two years after he has ceased to be a member of the Commission. Any individual

who violates this provision shall be guilty of a misdemeanor, and shall, upon conviction, be punished by a fine of not less than two thousand dollars (\$2,000) nor more than ten thousand dollars (\$10,000)."

Question recurring on the amendment by Mr. Pope, yeas and nays were demanded.

The amendment was lost by the following vote:

## Yeas—23

Butler of Brazos	Moffett
Celaya	Morse
Colson	Olsen
Dickison	Pope
Dunagan	Reader
Dwyer	Reed of Bowie
Farmer	Russell
Hardin	Scarborough
Hoskins	Smith
James	Wood of Harrison
Leonard	Young
McKee	

## Nays—95

Adamson	Hartzog
Adkins	Head
Aikin	Herzik
Alsup	Hodges
Beck	Hofheinz
Bergman	Holland
Bourne	Howard
Bradbury	Huddleston
Broyles	Hunt
Burton	Hyder
Butler of Karnes	Jones of Atascosa
Cagle	Jones of Falls
Calvert	Jones of Runnels
Clayton	Jones of Shelby
Collins	Jones of Wise
Colquitt	Keefe
Cowley	Knetsch
Craddock	Lange
Crossley	Lanning
Daniel	Leath
Davison of Fisher	Lemens
Davison	Lindsey
of Eastland	Lotief
Dunlap of Hays	Lucas
England	Mauritz
Fain	McConnell
Fisher	McFarland
Fitzwater	Moore
Fox	Morris
Fuchs	Morrison
Gibson	Newton
Glass	Nicholson
Good	Palmer
Graves	Patterson
Gray	Payne
Greathouse	Quinn
Harris of Archer	Reed of Dallas
Harris of Dallas	Roach of Hunt

Roane	Stovall
Roark	Tarwater
Roberts	Thornton
Rogers	Tillery
Rutta	Venable
Settle	Waggoner
Shofner	Wells
Stanfield	Westfall
Steward	Wood of Montague
Stinson	Youngblood

## Absent

Ash	Jackson
Atchison	King
Bradford	Latham
Caldwell	Luker
Cooper	Padgett
Dunlap of Kleberg	Petsch
Duvall	Riddle
Ford	Roach of Angelina
Frazer	Spears
Hanna	Tennyson
Hill	Walker
Hunter	

## Absent—Excused

Alexander	Jefferson
Canon	McCalla
Davis	McKinney
Hankamer	Worley

Question—Shall the committee amendment by Mr. Graves be adopted?

### CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 424

Mr. Leonard submitted the following conference committee report on House Bill No. 424:

Committee Room,  
Austin, Texas, April 15, 1935.

Hon. Ken Regan, President Pro Tempore of the Senate, and Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your conference committee, to whom was referred House Bill No. 424, a bill to provide for the purchase of law books out of the court receipts of the Courts of Civil Appeals of this State, to adjust the differences between the House and the Senate on said bill, have had the same under consideration and beg leave to recommend the adoption of the following substitute bill:

"H. B. No. 424,

## A BILL

## To Be Entitled

An Act to amend Chapter 98, of the General Laws of the State of Texas,

as passed by the Regular Session of the Forty-first Legislature, by adding thereto Section 1-a, so as to provide for the purchase of a part of the law books for the Courts of Civil Appeals out of the court fees collected by said courts, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Chapter 98, of the General Laws passed by the Forty-first Legislature, at its Regular Session, be amended by adding Section 1-a, as follows:

"Section 1-a. The clerks of the Courts of Civil Appeals shall be, and are hereby, authorized to purchase additional law books for the use of said courts out of the fees collected by said courts; such expenditures shall not exceed annually the specific amounts of such fees additionally authorized for such purpose in the General Appropriation Acts of the Legislature made biennially for the support and maintenance of the Judiciary Department of the State Government. Provided, however, that all such fees collected by any clerk or other officer of any Court of Civil Appeals within this State shall be deposited in the State Treasury to the credit of the court so collecting and depositing same, and the expenditures out of said fund for the foregoing purposes shall be upon a warrant drawn upon the State Treasury by the State Comptroller, as may be provided for in the General Appropriation Bill for the judiciary of this State."

Sec. 2. The fact that the Courts of Civil Appeals were authorized several years ago to use a portion of the court fees collected to supplement the regular appropriated salaries of the clerks, deputy clerks, and stenographers, and no provision was then made for these courts to use a part of these fees for the purchase of additional law books, and the further fact that recent appropriations have been inadequate properly to maintain their libraries, create an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days in each house, be suspended, and that this Act shall take effect and be in force from and after

its passage, and said rule is hereby suspended, and it is so enacted.

Respectfully submitted,

REDDITT,  
PACE,  
MOORE,  
HOPKINS,

On the part of the Senate;

LEONARD,  
NEWTON,  
BURTON,  
MORRIS,  
HUDDLESTON,

On the part of the House.

On motion of Mr. Leonard, the report was adopted by the following vote:

Yeas—111

Adamson	Herzik
Adkins	Hodges
Aikin	Hofheinz
Alsup	Holland
Ash	Hoskins
Atchison	Howard
Beck	Huddleston
Bergman	Hunt
Bourne	Hunter
Bradbury	Jackson
Broyles	James
Burton	Jones of Atascosa
Butler of Brazos	Jones of Falls
Cagle	Jones of Runnels
Celaya	Jones of Shelby
Clayton	Jones of Wise
Collins	Keefe
Colquitt	King
Colson	Knetsch
Cooper	Lange
Craddock	Lanning
Crossley	Lemens
Davisson	Leonard
of Eastland	Lotief
Dickison	Lucas
Dunagan	Luker
Dunlap of Hays	Mauritz
Dunlap of Kleberg	McKee
Duvall	Moffett
Dwyer	Moore
England	Morris
Fain	Morrison
Farmer	Newton
Fisher	Nicholson
Fitzwater	Olsen
Fox	Padgett
Frazer	Palmer
Gibson	Patterson
Glass	Payne
Good	Petsch
Graves	Pope
Gray	Reader
Hanna	Reed of Bowie
Hardin	Roach of Angelina
Harris of Archer	Roach of Hunt
Head	Roark



Roberts	Tarwater
Rogers	Tennyson
Russell	Tillery
Rutta	Waggoner
Settle	Wells
Shofner	Westfall
Smith	Wood of Harrison
Steward	Wood of Montague
Stinson	Young
Stovall	Youngblood

## Nays—3

Fuchs	McConnell
Lindsey	

## Present—Not Voting

Roane

## Absent

Bradford	Latham
Butler of Karnes	Leath
Caldwell	McFarland
Calvert	Morse
Cowley	Quinn
Daniel	Riddle
Davison of Fisher	Scarborough
Ford	Spears
Greathouse	Stanfield
Harris of Dallas	Thornton
Hill	Venable
Hyder	Walker

## Absent—Excused

Alexander	Jefferson
Canon	McCalla
Davis	McKinney
Hankamer	Reed of Dallas
Hartzog	Worley

## MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, April 16, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 781, A bill to be entitled "An Act making appropriations to pay the salaries and wages of officers and employes of the eleemosynary institutions of the State." (With amendments.)

H. B. No. 521, A bill to be entitled "An Act making better provision for the regulation of the sale and dealings in stocks, bonds, and securities in this State, including any share, stock, treasury stock, stock certificate under a voting trust agreement, collateral

trust certificate, etc." (With amendments.)

The Senate has adopted the conference committee report on Senate Bill No. 361 by the following vote: Yeas, 21; nays, 4.

Respectfully,

**BOB BARKER,**  
Secretary of the Senate.

(Speaker in the Chair.)

## RECESS

On motion of Mr. Butler of Brazos, the House, at 5:10 o'clock p. m., took recess to 7:30 o'clock p. m., today.

## NIGHT SESSION

The House met at 7:30 o'clock p. m., and was called to order by the Speaker.

Mr. Dunagan moved a call of the House for the purpose of maintaining a quorum until 10 o'clock p. m., today, and the call was duly ordered.

On motion of Mr. Dunagan, the Sergeant-at-Arms was instructed to bring in all absent members within the city, who are not ill.

The roll of the House was called and the following members were present:

Mr. Speaker	Dunlap of Kleberg
Adamson	Fain
Adkins	Farmer
Aikin	Fisher
Alsup	Fox
Bourne	Fuchs
Bradbury	Gibson
Bradford	Glass
Broyles	Good
Burton	Graves
Butler of Brazos	Greathouse
Butler of Karnes	Hankamer
Cagle	Hardin
Caldwell	Harris of Archer
Calvert	Harris of Dallas
Celaya	Head
Clayton	Hodges
Collins	Hofheinz
Cooper	Holland
Cowley	Hoskins
Craddock	Huddleston
Crossley	Hunter
Daniel	Hyder
Davison of Fisher	Jackson
Davisson	Jefferson
of Eastland	Jones of Atascosa
Dickison	Jones of Runnels
Dunagan	Jones of Shelby
Dunlap of Hays	Jones of Wise

Keefe	Roach of Hunt
King	Roane
Knetsch	Roark
Lange	Roberts
Lanning	Rogers
Lemens	Russell
Leonard	Rutta
Lindsey	Scarborough
Lotief	Shofner
Lucas	Smith
Luker	Stanfield
Mauritz	Steward
McConnell	Stinson
McKee	Stovall
Moore	Tarwater
Morris	Tennyson
Morse	Thornton
Newton	Tillery
Nicholson	Venable
Olsen	Waggoner
Padgett	Walker
Patterson	Westfall
Payne	Wood of Harrison
Pope	Wood of Montague
Quinn	Young
Reed of Bowie	Youngblood
Roach of Angelina	

## Absent

Ash	Howard
Atchison	Hunt
Beck	James
Bergman	Jones of Falls
Colquitt	Latham
Colson	Leath
Duvall	McFarland
Dwyer	Moffett
England	Morrison
Fitzwater	Palmer
Ford	Petsch
Frazer	Riddle
Gray	Settle
Hanna	Spears
Herzik	Wells
Hill	

## Absent—Excused

Alexander	McKinney
Canon	Reader
Davis	Reed of Dallas
Hartzog	Worley
McCalla	

A quorum was announced present.

HOUSE BILL NO. 158 ON PASSAGE  
TO ENGROSSMENT

The Speaker laid before the House, on its passage to engrossment,

H. B. No. 158, A bill to be entitled "An Act to provide for attendance of rural pupils or of other pupils in high schools at the expense of their home districts and of the State; for certification of eligibility of pupils

and districts for tuition privileges in the high schools, etc., and declaring an emergency";

The bill having heretofore been read second time.

Mr. Tennyson offered the following committee amendment to the bill:

Amend House Bill No. 158 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. The board of trustees of any common or independent school district, whether organized by general or special law, which levies and collects a maintenance tax for the purpose of supplementing the available school fund received from the State and county, shall admit into the public schools of the district free of tuition, all persons who are over six and not over twenty-one years old at the beginning of the scholastic year, if such person or his parents or legal guardian reside within said common or independent school district.

"Any pupil between the age of six and twenty-one residing in a rural district or other district, which levies a local maintenance tax, who has been promoted to a high school grade not taught in his home district, shall have the right to attend a standardized, classified, or affiliated high school in his home county or in any other county at the expense of his home school district, if such district as determined by its budgeted expenditures according to the general budget law is financially able to provide tuition, or otherwise at the expense of the State of Texas.

"If the name of such pupil appears on the census roll of his home district and if the pupil attends a high school in the county of his residence, his State and county per capita funds shall be transferred to the receiving district under the general laws governing the transfer of pupils. If the pupil's name appears on the census roll of his home district and if he attends a high school in a county other than that of his residence, his local district shall pay to the school which he attends an amount equivalent to the State and county per capita apportionment. The receiving district shall allow such pupils to attend school for as long a time as the State and county available funds will operate the public schools of the race to which such

transferred pupil belongs, such free school term for such pupil to begin with the date such transferred pupil enters the school of the receiving district. After the expiration of the time that the State and county available funds will operate the free school of the district, the receiving district may charge such pupil tuition at a rate fixed by the board of trustees of the receiving district, and approved by the State Department of Education, such rate to be based upon the budgeted expenditures for maintenance of the high school grades of the receiving district for the current school year, exclusive of bonds and interest thereon.

"If the name of such pupil is not on the census roll of his home district, he may attend a high school under the same terms as the above pupils, except that his home district and the State will be obligated for the payment of tuition for the entire time of his attendance in the receiving district. It is further provided that in no instance shall the State be obligated to pay out of the funds appropriated for this purpose a tuition rate in excess of \$7.50 per month per pupil.

"Provided further, that this provision shall not alter or limit the operation in any county which has by special Act created a county equalization fund and where said fund is now being used to defray in whole or part, rural high school tuition fees.

"Sec. 2. The superintendent of the receiving district, the county superintendent, and the superintendent or principal of the sending district shall certify, not later than thirty days after notification of the entrance of each pupil in the receiving high school, the eligibility of pupils from the sending districts for tuition privileges in the high schools of the receiving district which said pupils desire to attend by supplying such information and signing such forms as may be required by the State Department of Education. Upon the approval of this certificate by the county superintendent, the State and the district shall be obligated for the payment of the tuition. The county superintendent is hereby required to file with the State Department of Education a copy of the budget, made under the general budgeted law of the State, not later than October 1 of each year of each of the several districts in his

county and to furnish such other information as will enable the State Department of Education to estimate the amount of high school tuition that each district will be able to pay; provided, however, that no portion of the State and county available funds of such district of those children not transferred for high school purposes shall ever be used for the payment of the high school tuition due other districts except as provided by the general law; provided further, that the superintendents of sending independent school districts shall sign a certificate of eligibility, which certificate shall obligate the district and the State for the payment of such tuition at the rate as hereinbefore provided; provided further, that the superintendent of each sending independent district is hereby required to file with the State Department of Education a copy of the budget of his district not later than October 1 of each school year and to furnish such other information as will enable the State Department of Education to estimate the amount of high school tuition that the district will be able to pay; provided further, that no child entitled to free high school privileges under the provisions of this Act shall ever have such privileges curtailed or his tuition account invalidated. This shall not be construed, however, to limit, except as to high school tuition, the regulations of the State Department of Education relative to other provisions of the present rural aid law, or such other laws for the equalization of educational opportunities as may be enacted.

"Sec. 3. Receiving high school districts shall make a report to the State Department of Education and the county superintendent at the close of each semester, giving the name of the county, of the home district, and of the child, with his age, grade, and attendance, and the rate and the amount of tuition. In addition to this report an itemized statement indicating tuition due to date shall be sent at the close of each semester to the secretary of the board of trustees of the sending district. Upon the basis of the attendance report, referred to in this section, when approved by the State Department of Education, warrants shall be issued semi-annually by the State directly to the receiving high school district for payment of the tuition due; provided, however, each home district

indebted to a high school district for tuition shall issue a warrant to the high school district not later than June 15 of each fiscal year for all of its surplus maintenance funds, or as much thereof as may be necessary to pay the entire tuition account of such home district to the receiving high school, and the superintendent of the receiving high school shall not later than July 1 of each year certify to the State Department of Education the amount received by the school on high school tuition from each sending district. The amount paid by the sending district shall be deducted from the second semi-annual payment made by the State to the receiving school, provided that any high school district receiving from the State Department an amount in excess of the total tuition charged by the receiving district shall be required under this Act to return all excess payment to the State Department of Education to be deposited with the State Treasurer to the credit of the fund from which it came.

"Sec. 4. The State Superintendent shall withhold any and all funds due any district that refuses or fails to execute forms required by the State Department of Education for pupils eligible to have their high school tuition paid by the home district and the State. It is further provided that the State per capita available fund for each pupil transferred for high school purposes under this Act, who has enrolled in the school to which he has been transferred, shall be distributed to the districts to which such pupils have been transferred as the apportionment is paid by the State. If any district fails to pay this portion of the State per capita according to the provisions of this Act, then the State Superintendent, when notified by the superintendent of the receiving districts, accompanied by an affidavit of such failure, shall withhold from such district, when the next per capita payment is ready for distribution, such an amount as such district may owe any other district until such obligation has been paid; provided further, that the State Superintendent shall investigate such accounts and determine that they are just accounts and obligations of the district before their portion of the per capita allotment is withheld.

"Sec. 5. In case any clause, sentence, paragraph, section or part of this Act shall be held unconstitutional

or void, then and in that event it shall not affect the validity of any other clause, sentence, paragraph, section or part of this Act. All laws or parts of laws, both general and special, in conflict with this Act are hereby repealed.

"Sec. 6. The fact that there is considerable uncertainty in the rural districts as to whether or not the State of Texas will continue to offer high school opportunities to rural school children, the fact that many high schools are not paid tuition allowed by law for pupils from other districts who attend the high school, and the fact that considerable time is required in preparation for carrying out the provisions of the Act before the schools can take advantage of the provisions provided herein creates an emergency and an imperative public necessity that the constitutional rule, requiring all bills to be read on three several days, be suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

Mr. Tennyson offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 158, page 2, line 39, by adding after the word "district" the following:

"Provided, any obligations of the State of Texas as herein referred to in this Act shall be paid from the Rural Aid Fund from the sum or sums set aside for rural high school tuition in said law."

The amendment was adopted.

The committee amendment, as amended, was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 158 was then passed to engrossment.

### HOUSE BILL NO. 158 ON THIRD READING

Mr. Tennyson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 158 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—121

Adamson	Jones of Runnels
Adkins	Jones of Shelby
Aikin	Jones of Wise
Alsup	Keefe
Bourne	King
Bradbury	Knetsch
Bradford	Lange
Broyles	Lanning
Burton	Latham
Butler of Brazos	Leonard
Butler of Karnes	Lotief
Cagle	Lucas
Caldwell	Mauritz
Calvert	McConnell
Celaya	McFarland
Clayton	McKee
Collins	Moffett
Colquitt	Moore
Cooper	Morris
Cowley	Morrison
Craddock	Morse
Crossley	Newton
Daniel	Nicholson
Davison of Fisher	Olsen
Davisson	Padgett
of Eastland	Patterson
Dickison	Payne
Dunagan	Quinn
Dunlap of Hays	Reed of Bowie
Dunlap of Kleberg	Roach of Angelina
Fain	Roach of Hunt
Farmer	Roane
Fisher	Roark
Fox	Roberts
Fuchs	Rogers
Gibson	Russell
Glass	Rutta
Good	Scarborough
Graves	Shofner
Greathouse	Smith
Hankamer	Stanfield
Hanna	Steward
Hardin	Stinson
Harris of Archer	Stovall
Harris of Dallas	Tarwater
Herzik	Tennyson
Hodges	Thornton
Hofheinz	Tillery
Holland	Venable
Hoskins	Waggoner
Huddleston	Walker
Hunter	Westfall
Hyder	Wood of Harrison
Jackson	Wood of Montague
James	Young
Jefferson	Youngblood
Jones of Atascosa	

## Absent

Ash	Duvall
Atchison	Dwyer
Beck	England
Bergman	Fitzwater
Colson	Ford

Frazer	Lindsey
Gray	Luker
Head	Palmer
Hill	Petsch
Howard	Pope
Hunt	Riddle
Jones of Falls	Settle
Leath	Spears
Lemens	Wells

## Absent—Excused

Alexander	McKinney
Canon	Reader
Davis	Reed of Dallas
Hartzog	Worley
McCalla	

The Speaker then laid House Bill No. 158 before the House on its third reading and final passage.

The bill was read third time, and was passed.

## HOUSE BILL NO. 580 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 580, A bill to be entitled "An Act authorizing commissioners courts of certain counties to allow Stephen F. Austin Teachers College to act as depository of certain historical documents and permitting the librarian and archivist of said college to give certified copies thereof, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

## HOUSE BILL NO. 580 ON THIRD READING

Mr. Tillery moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 580 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—105

Adamson	Cagle
Adkins	Calvert
Aikin	Clayton
Alsup	Collins
Bourne	Colquitt
Bradbury	Cooper
Bradford	Cowley
Broyles	Craddock
Burton	Crossley
Butler of Brazos	Daniel
Butler of Karnes	Davison of Fisher

Davisson	Luker
of Eastland	Mauritz
Dickison	McConnell
Dunagan	McFarland
Dunlap of Hays	McKee
Dunlap of Kleberg	Moffett
Fain	Morris
Farmer	Morrison
Fisher	Morse
Fox	Newton
Fuchs	Nicholson
Gibson	Olsen
Glass	Padgett
Good	Patterson
Graves	Quinn
Greathouse	Reed of Bowie
Hankamer	Roach of Angelina
Hanna	Roach of Hunt
Hardin	Roane
Harris of Archer	Roark
Harris of Dallas	Roberts
Herzik	Russell
Hodges	Rutta
Hofheinz	Scarborough
Holland	Shofner
Hoskins	Smith
Huddleston	Stanfield
Hunter	Steward
Hyder	Stinson
Jackson	Stovall
James	Tarwater
Jones of Atascosa	Tennyson
Jones of Runnels	Thornton
Jones of Shelby	Tillery
Jones of Wise	Venable
Keefe	Waggoner
King	Walker
Knetsch	Westfall
Lanning	Wood of Harrison
Leonard	Wood of Montague
Lotief	Young
Lucas	Youngblood

## Absent

Ash	Hunt
Atchison	Jones of Falls
Beck	Lange
Bergman	Latham
Caldwell	Leath
Celaya	Lemens
Colson	Lindsey
Duvall	Moore
Dwyer	Palmer
England	Payne
Fitzwater	Petsch
Ford	Pope
Frazer	Riddle
Gray	Rogers
Head	Settle
Hill	Spears
Howard	Wells

## Absent—Excused

Alexander	Davis
Canon	Hartzog

Jefferson	Reader
McCalla	Reed of Dallas
McKinney	Worley

The Speaker then laid House Bill No. 580 before the House on its third reading and final passage.

The bill was read third time, and was passed.

## HOUSE BILL NO. 807 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 807, A bill to be entitled "An Act authorizing two or more independent school districts to consolidate their tax assessing and collecting and legal departments and appoint one and the same person to assess and collect their taxes who shall have the same authority and perform the same duties with respect to assessing and collecting the school taxes as the county assessor and collector, and fix said compensation therefor, etc., and declaring an emergency."

The bill was read second time.

Mr. Tennyson offered the following amendment to the bill:

Amend House Bill No. 807, after the word "may," in line 23, add the following: "Provided, however, two-thirds vote of each school district board of trustees shall be required before such consolidation becomes effective."

TENNYSON,  
LANGE.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 807 was then passed to engrossment.

## HOUSE BILL NO. 807 ON THIRD READING

Mr. Jones of Runnels moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 807 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109

Adamson	Alsup
Adkins	Bourne
Aikin	Bradbury

Bradford	Lange
Broyles	Lanning
Burton	Latham
Butler of Brazos	Leonard
Butler of Karnes	Lindsey
Calvert	Lotief
Clayton	Lucas
Colquitt	Luker
Cooper	Mauritz
Cowley	McConnell
Craddock	McFarland
Crossley	McKee
Daniel	Moffett
Davison of Fisher	Moore
Dickison	Morrison
Dunagan	Morse
Dunlap of Hays	Newton
Dwyer	Nicholson
Fain	Olsen
Farmer	Padgett
Fisher	Patterson
Fox	Payne
Fuchs	Pope
Gibson	Quinn
Glass	Reed of Bowie
Good	Roach of Angelina
Graves	Roach of Hunt
Greathouse	Roane
Hankamer	Roark
Hanna	Roberts
Hardin	Rogers
Harris of Archer	Russell
Harris of Dallas	Rutta
Herzik	Scarborough
Hill	Smith
Hodges	Stanfield
Hofheinz	Steward
Holland	Stinson
Hoskins	Stovall
Huddleston	Tarwater
Hunt	Tennyson
Hunter	Thornton
Hyder	Tillery
Jackson	Venable
James	Waggoner
Jones of Atascosa	Walker
Jones of Runnels	Westfall
Jones of Shelby	Wood of Harrison
Jones of Wise	Wood of Montague
Keefe	Young
King	Youngblood
Knetsch	

## Present—Not Voting

Cagle	Shofner
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## Absent

Ash	Dunlap of Kleberg
Atchison	Duvall
Beck	England
Bergman	Fitzwater
Caldwell	Ford
Celaya	Frazer
Collins	Gray
Colson	Head
Davison	Howard
of Eastland	Jones of Falls

Leath	Riddle
Lemens	Settle
Morris	Spears
Palmer	Wells
Petsch	

## Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Reader
Hartzog	Reed of Dallas
Jefferson	Worley

The Speaker then laid House Bill No. 807 before the House on its third reading and final passage.

The bill was read third time, and was passed.

## HOUSE BILL NO. 828 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 828, A bill to be entitled "An Act amending Article 7257 of the Revised Civil Statutes of 1925, providing additional duties of the tax assessor and collector, requiring an entry upon the tax rolls when payments of taxes have been made; providing for a seal for this office, and prescribing that such entry shall be taken as evidence of the payment of said tax, and declaring an emergency."

The bill was read second time.

Mr. Thornton offered the following amendment to the bill:

Amend House Bill No. 828, by striking out all the words after the word "shall," in line 36, and also striking out lines 37, 38, 39, and all of line 40 up to the semicolon therein, and insert in lieu thereof the following: "credit same on the rolls in the manner and form prescribed by the Comptroller of the State of Texas."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 828 was then passed to engrossment.

## HOUSE BILL NO. 828 ON THIRD READING

Mr. Thornton moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 828 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—111

Adamson	Jones of Runnels
Adkins	Jones of Shelby
Aikin	Jones of Wise
Alsup	Keefe
Atchison	King
Bergman	Knetsch
Bourne	Lange
Bradbury	Lanning
Bradford	Latham
Broyles	Lemens
Burton	Lotief
Butler of Karnes	Lucas
Cagle	Luker
Calvert	Mauritz
Celaya	McConnell
Clayton	McFarland
Collins	McKee
Colquitt	Moffett
Cooper	Moore
Cowley	Morris
Craddock	Morrison
Crossley	Morse
Daniel	Newton
Davison of Fisher	Olsen
Davisson	Patterson
of Eastland	Payne
Dickison	Quinn
Dunagan	Reed of Bowie
Dunlap of Kleberg	Reed of Dallas
Dwyer	Roach of Angelina
Fain	Roach of Hunt
Farmer	Roane
Fisher	Roark
Fox	Roberts
Frazer	Rogers
Fuchs	Russell
Gibson	Rutta
Glass	Scarborough
Good	Settle
Graves	Shofner
Greathouse	Smith
Hankamer	Stanfield
Hardin	Steward
Harris of Archer	Stinson
Harris of Dallas	Stovall
Hodges	Tarwater
Hofheinz	Tennyson
Holland	Thornton
Hoskins	Tillery
Huddleston	Venable
Hunt	Waggoner
Hunter	Westfall
Hyder	Wood of Harrison
Jackson	Wood of Montague
James	Young
Jones of Atascosa	Youngblood

## Nays—1

Herzik

## Absent

Ash	Butler of Brazos
Beck	Caldwell

Colson	Leath
Dunlap of Hays	Leonard
Duvall	Lindsey
England	Nicholson
Fitzwater	Padgett
Ford	Palmer
Gray	Petsch
Hanna	Pope
Head	Riddle
Hill	Spears
Howard	Walker
Jones of Falls	Wells

## Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Reader
Hartzog	Worley
Jefferson	

The Speaker then laid House Bill No. 828 before the House on its third reading and final passage.

The bill was read third time, and was passed.

## HOUSE BILL NO. 820 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 820, A bill to be entitled "An Act amending Title 26 of the Revised Civil Statutes, 1925, as amended by Chapter 66, House Bill No. 122, of the General and Special Laws of the Forty-third Legislature, Second Called Session, page 146; providing a new article of said Title 26 to be hereafter known as Article 930-b of said Title 26 of the Revised Civil Statutes of Texas, which Article 930-b shall provide that, where prior to March 15, 1934, the effective date of said House Bill No. 122 of said Second Called Session of the Forty-third Legislature, any person or persons, copartnership, corporation, concern, or associations had purchased a body or tract of land for cemetery purposes or for any of the purposes expressed in said Title 26, and had, prior to said March 15, 1934, entered into written obligations or contracts to use said land for such purpose contemplated by said Title 26 for cemetery purposes or having executed and/or sold, prior to said date, stock subscriptions or other instruments in writing evidencing such intention to use said land or lands for cemetery purposes, etc., and declaring an emergency."



The bill was read second time.

Mr. Greathouse offered the following committee amendment to the bill:

Amend House Bill No. 820 by striking out all below the enacting clause and insert in lieu thereof the following:

"Section 1. That Title 26 of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 66 of the General and Special Laws of the Forty-third Legislature, Second Called Session, House Bill No. 122, page 146, be, and the same is hereby, amended so as to provide for a new article to be known as Article 930-b, which reads and provides as follows:

"Article 930-b. Provided, however, that where prior to March 15, 1934, the effective date of said House Bill No. 122 of said Second Called Session of the Forty-third Legislature, any person or persons, co-partnership, corporation, concern, or association had purchased a body or tract of land for cemetery purposes or for any of the purposes expressed in said Title 26 and had prior to said March 15, 1934, entered into written obligations or contracts to use said land for such purposes contemplated by said Title 26 for cemetery purposes or having executed and or sold, prior to said date, stock subscriptions or other instruments in writing evidencing such intention to use said land for cemetery purposes, any or all of such body or tract so purchased prior to said March 15, 1934, shall be exempt from the provisions of Article 930 and Article 930-a of said Title 26, provided, that at the time said body or tract of land was so purchased, and at the time said contracts or written obligations were entered into, or said stock subscriptions were issued or sold, a graveyard, cemetery, mausoleum and or crematory could under the law of this State have been lawfully established, used and operated upon said body or tract of land, or a part thereof."

"Sec. 2. The fact that prior to March 15, 1934, many persons, firms, corporations and associations had purchased land by contract and had become legally obligated to devote same to the uses of a cemetery and which purposes were lawful prior to said date, but unlawful subsequent to the passage of said House Bill No. 122 of said Second Called Session of said Forty-third Legislature, worked and created an undue hardship upon said persons, firms, associations and cor-

porations, creates an emergency and an imperative public necessity that the constitutional rule, requiring bills to be read on three several days in each House, be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

Mr. Greathouse offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 820 as follows:

By changing the order in which the words "entered into written obligations or contracts" are written in line 34, page 1, so that the order of said words shall read as follows: "entered into contracts or written obligations."

Amend line 37, page 2, by changing the order in which said words "entered into written obligations or contracts" are written in said line so that said words shall read as follows in said line "entered into contracts or written obligations."

Amend line 5, page 3, by striking out the word "that" in said line and inserting in lieu thereof the word "tract."

Amend the caption of said bill so as to conform with the body thereof. The amendment was adopted.

Mr. Pope offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 820 by adding a new section to be numbered Section 1-a, to be inserted between lines 7 and 8, page 2, to read as follows:

"Section 1-a. That Article 925-a of Title 26 of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 66 of the General and Special Laws of the Forty-third Legislature, Second Called Session, being House Bill No. 122, page 146, be, and the same is hereby, amended so as to hereafter read as follows:

"Article 925-a. Perpetual Care and Nonperpetual Care Defined. A perpetual care cemetery is one which shall hereafter deposit in its perpetual care fund as provided under the provisions of Article 925, an amount equivalent to a minimum of twenty (20) cents per square foot of ground of interment right sold or disposed of as perpetual care property for earth interment, until such fund reaches a minimum of one hundred thousand

dollars (\$100,000), and the minimum thereafter shall be ten (10) cents per square foot; a minimum of fifteen dollars (\$15) per each crypt interment right sold or disposed of as perpetual care property for mausoleum interment, and a minimum of five dollars (\$5) per each niche interment right sold or disposed of as perpetual care property for columbarium interment. All other cemeteries heretofore operating as perpetual care cemeteries shall, within one year from the effective date of this Act, establish their trust funds in cash or legal securities in conformity with the provisions hereof, and in the event of failure so to do, shall not thereafter operate as a perpetual care or free care cemetery until the provisions hereof are complied with; provided that the provisions of this section shall not apply to perpetual care cemetery associations or corporations organized prior to and in operation on March 15, 1934, under the provisions of said Title 26 of the Revised Civil Statutes of 1925, where such associations or corporations were already setting aside as a perpetual care fund a sum of not less than ten per cent (10%) of the total consideration collected from sales of ground of interment right sold or disposed of, and which associations or corporations under the trust provisions of such funds direct that the income from such trust funds and other funds from lot or other sales, to be used for the care and maintenance of such perpetual care cemetery."

The amendment was adopted.

The committee amendment, as amended, was then adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 820 was then passed to engrossment.

#### HOUSE BILL NO. 820 ON THIRD READING

Mr. Greathouse moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 820 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111

Adamson  
Adkins

Aikin  
Alsup

Atchison	Jones of Atascosa
Beck	Jones of Runnels
Bourne	Jones of Shelby
Bradbury	Jones of Wise
Bradford	Keefe
Broyles	Knetsch
Burton	Lanning
Butler of Brazos	Latham
Butler of Karnes	Leonard
Calvert	Lotief
Celaya	Lucas
Clayton	Mauritz
Collins	McConnell
Colquitt	McFarland
Cooper	McKee
Cowley	Moffett
Craddock	Moore
Daniel	Morris
Davison of Fisher	Morrison
Davisson	Morse
of Eastland	Newton
Dickison	Nicholson
Dunagan	Olsen
Dunlap of Hays	Padgett
Dunlap of Kleberg	Patterson
Dwyer	Payne
Fain	Pope
Farmer	Reed of Bowie
Fisher	Roach of Angelina
Fox	Roach of Hunt
Fuchs	Roark
Gibson	Roberts
Glass	Rogers
Good	Russell
Graves	Rutta
Gray	Scarborough
Greathouse	Settle
Hankamer	Shofner
Hanna	Smith
Hardin	Stanfield
Harris of Archer	Steward
Harris of Dallas	Stinson
Herzik	Stovall
Hodges	Tarwater
Hofheinz	Tennyson
Holland	Thornton
Hoskins	Tillery
Huddleston	Venable
Hunt	Waggoner
Hunter	Walker
Hyder	Westfall
Jackson	Wood of Montague
James	Young
Jefferson	Youngblood

Present—Not Voting

Cagle

Absent

Ash  
Bergman  
Caldwell  
Colson  
Crossley  
Duvall  
England  
Fitzwater

Ford  
Frazer  
Head  
Hill  
Howard  
Jones of Falls  
King  
Lange

Leath	Quinn
Lemens	Riddle
Lindsey	Roane
Luker	Spears
Palmer	Wells
Petsch	Wood of Harrison

Absent—Excused

Alexander	McKinney
Canon	Reader
Davis	Reed of Dallas
Hartzog	Worley
McCalla	

The Speaker then laid House Bill No. 820 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—114

Adamson	Harris of Archer
Adkins	Harris of Dallas
Alsup	Herzik
Atchison	Hodges
Beck	Hofheinz
Bergman	Hoskins
Bourne	Huddleston
Bradbury	Hunter
Broyles	Hyder
Burton	Jackson
Butler of Brazos	James
Butler of Karnes	Jefferson
Cagle	Jones of Atascosa
Calvert	Jones of Runnels
Celaya	Jones of Shelby
Clayton	Jones of Wise
Collins	Keefe
Colquitt	Knetsch
Cooper	Lange
Cowley	Lanning
Craddock	Latham
Daniel	Lemens
Davison of Fisher	Leonard
Davison	Lotief
of Eastland	Lucas
Dickison	Mauritz
Dunagan	McConnell
Dunlap of Hays	McKee
Dunlap of Kleberg	Moffett
Dwyer	Moore
Fain	Morris
Farmer	Morrison
Fisher	Morse
Fox	Newton
Frazer	Nicholson
Fuchs	Olsen
Gibson	Padgett
Glass	Patterson
Good	Payne
Graves	Pope
Gray	Quinn
Greathouse	Reed of Bowie
Hankamer	Reed of Dallas
Hanna	Roach of Angelina
Hardin	Roach of Hunt

Roark	Tarwater
Roberts	Tennyson
Rogers	Thornton
Russell	Tillery
Rutta	Venable
Scarborough	Waggoner
Settle	Walker
Shofner	Westfall
Smith	Wood of Harrison
Stanfield	Wood of Montague
Steward	Young
Stinson	Youngblood
Stovall	

Nays—1

Aikin

Present—Not Voting

Lindsey

Absent

Ash	Hunt
Bradford	Jones of Falls
Caldwell	King
Colson	Leath
Crossley	Luker
Duvall	McFarland
England	Palmer
Fitzwater	Petsch
Ford	Riddle
Head	Roane
Hill	Spears
Holland	Wells
Howard	

Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Reader
Hartzog	Worley

#### HOUSE BILL NO. 794 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 794, A bill to be entitled "An Act prescribing qualifications of voters in all elections, except for issuance of bonds, in water improvement districts, irrigation districts, or water control and improvement districts in this State; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Leonard offered the following committee amendment to the bill:

Amend House Bill No. 794 by striking out in Section 1, line 2, the following: "other than for the issuance of bonds."

The amendment was adopted.

Mr. Leonard offered the following committee amendment to the bill:

Amend House Bill No. 794 by striking out the word "in," in line 3, Section 1, and substituting in lieu thereof the word "by."

The amendment was adopted.

Mr. Leonard offered the following amendment to the bill:

Amend the caption of House Bill No. 794 by striking out the words "except for the issuance of bonds," and by changing the word "in," in line 9, to "by."

The amendment was adopted.

House Bill No. 794 was then passed to engrossment.

#### HOUSE BILL NO. 603 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 603, A bill to be entitled "An Act amending Article 7328, Revised Civil Statutes of 1925, as amended, Acts of 1927, Fortieth Legislature, First Called Session, providing for the purchase by the State in certain instances of lands sold for the payment of taxes; amending Article 2613, Revised Civil Statutes of 1925, withdrawing all forest lands from the market and providing for a system of State forest lands, the management and control thereof, and defining forest lands, etc., and declaring an emergency."

The bill was read second time.

Mr. Butler of Brazos offered the following committee amendment to the bill:

Amend House Bill No. 603 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. That Article 2613, Revised Civil Statutes of Texas, 1925, as amended by Acts, 1929, Forty-first Legislature, page 126, Chapter 61, Section 1, be, and the same is hereby, amended by adding thereto a new Section No. 12, to read as follows:

"Article 2613. Section 12. When pine forest lands are sold to the State for the payment of taxes, interest, penalty and costs adjudged against such land, as provided in Article 7328, Revised Civil Statutes, 1925, as amended by Acts of 1927, Fortieth Legislature, First Called Session, page 260, Chapter 99, Section 1, and not redeemed or resold as provided in said Article 7328, such lands shall be with-

drawn from the market and shall be held, protected and administered by the Board of Directors of the Agricultural and Mechanical College as State forests; and the Board of Directors shall have the power to manage, use, and improve such pine forest lands as fully and to the same extent as in the case of other forest lands held by it in accordance with the law. Forest lands, as used in this Act, shall include all lands upon which is growing pine timber of any material value and all cut-over pine timber lands which may reasonably be expected to produce by reason of natural, or other methods of reforestation, another growth of pine timber of any material value upon them.'

"Sec. 2. That Article 5416, Revised Civil Statutes, 1925, be hereafter amended so as to hereafter read as follows:

"Article 5416. All lands heretofore set apart under the Constitution and laws of Texas, and all of the unappropriated public domain remaining in the State, of whatever character and wheresoever located, including any lands recovered by the State, except that included in lakes, bays, and islands along the Gulf of Mexico within tidewater limits and except pine forest lands as defined in Article 2613, as amended in Section 1 hereof, is set apart and granted to the Permanent School Fund of the State. All such lands heretofore or hereafter recovered from railway companies, firms, persons, or other corporations by the State, by suit or otherwise, and constituting a part of said school fund as herein provided, shall be disposed of as other school lands, except as otherwise provided by law. In all cases where said land, or any portion thereof, has been surveyed into tracts of six hundred and forty acres, more or less, and field notes thereof returned to and filed in the Land Office, the same is hereby declared a sufficient designation of said land and the Commissioner shall dispose of the same by the survey and block numbers contained in said field notes.'

"Sec. 3. The absence of any law providing for the purchase and establishment of State pine forests, and the fact that lands are constantly being offered for sale for delinquent taxes creates an emergency and an imperative public necessity, requiring that the constitutional rule that bills

be read on three several days in each house be, and the same is hereby, suspended, and that this Act take effect from and after its passage, and it is so enacted."

The committee amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 603 was then passed to engrossment.

### HOUSE BILL NO. 603 ON THIRD READING

Mr. Butler of Brazos moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 603 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—120

Adamson	Fuchs
Adkins	Gibson
Aikin	Glass
Alsup	Good
Atchison	Graves
Beck	Gray
Bergman	Greathouse
Bourne	Hankamer
Bradbury	Hanna
Bradford	Hardin
Broyles	Harris of Archer
Burton	Harris of Dallas
Butler of Brazos	Herzik
Butler of Karnes	Hodges
Calvert	Hofheinz
Celaya	Holland
Clayton	Hoskins
Collins	Huddleston
Colquitt	Hunt
Cooper	Hunter
Cowley	Hyder
Craddock	Jackson
Crossley	James
Daniel	Jefferson
Davison of Fisher	Jones of Atascosa
Davison	Jones of Runnels
of Eastland	Jones of Shelby
Dickison	Jones of Wise
Dunagan	Keefe
Dunlap of Hays	King
Dunlap of Kleberg	Knetsch
Dwyer	Lange
England	Lanning
Fain	Latham
Farmer	Lemens
Fisher	Leonard
Fox	Lotief
Frazer	Lucas

Luker	Roberts
Mauritz	Rogers
McConnell	Russell
McFarland	Rutta
McKee	Scarborough
Moffett	Settle
Moore	Smith
Morris	Stanfield
Morse	Steward
Newton	Stinson
Nicholson	Stovall
Olsen	Tarwater
Padgett	Thornton
Palmer	Tillery
Patterson	Venable
Payne	Waggoner
Pope	Walker
Quinn	Westfall
Reed of Bowie	Wood of Harrison
Reed of Dallas	Wood of Montague
Roach of Angelina	Young
Roach of Hunt	Youngblood
Roark	

Nays—3

Morrison	Tennyson
Roane	

Present—Not Voting

Shofner

Absent

Ash	Howard
Cagle	Jones of Falls
Caldwell	Leath
Colson	Lindsey
Duvall	Petsch
Fitzwater	Riddle
Ford	Spears
Head	Wells
Hill	

Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Reader
Hartzog	Worley

The Speaker then laid House Bill No. 603 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—119

Adamson	Butler of Brazos
Adkins	Butler of Karnes
Aikin	Calvert
Alsup	Clayton
Atchison	Collins
Beck	Colquitt
Bergman	Cooper
Bradbury	Cowley
Bradford	Craddock
Broyles	Crossley
Burton	Daniel

Davison of Fisher	Lindsey
Davisson	Lotief
of Eastland	Lucas
Dickison	Luker
Dunagan	Mauritz
Dunlap of Hays	McFarland
Dunlap of Kleberg	McKee
Dwyer	Moffett
England	Moore
Fain	Morris
Farmer	Morrison
Fisher	Morse
Fox	Newton
Frazer	Nicholson
Fuchs	Olsen
Gibson	Padgett
Glass	Palmer
Good	Payne
Graves	Pope
Gray	Quinn
Greathouse	Reader
Hankamer	Reed of Bowie
Hanna	Reed of Dallas
Hardin	Roach of Angelina
Harris of Archer	Roach of Hunt
Harris of Dallas	Roane
Herzik	Roark
Hodges	Roberts
Hofheinz	Rogers
Holland	Russell
Hoskins	Rutta
Huddleston	Scarborough
Hunter	Settle
Hyder	Smith
Jackson	Stanfield
James	Steward
Jefferson	Stinson
Jones of Atascosa	Stovall
Jones of Runnels	Tarwater
Jones of Shelby	Thornton
Jones of Wise	Tillery
Keefe	Venable
King	Waggoner
Knetsch	Walker
Lange	Westfall
Lanning	Wood of Harrison
Latham	Wood of Montague
Lemens	Young
Leonard	Youngblood

Nays—1

Tennyson

Present—Not Voting

Bourne	Shofner
Cagle	

Absent

Ash	Hill
Caldwell	Howard
Celaya	Hunt
Colson	Jones of Falls
Duvall	Leath
Fitzwater	McConnell
Ford	Patterson
Head	Petsch

Riddle	Wells
Spears	

Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

## HOUSE BILL NO. 862 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 862, A bill to be entitled "An Act making it an offense for any person to forge the name of any agent, officer or employe of the Railroad Commission of Texas to a permit or tender of the Railroad Commission of Texas relating to crude petroleum oil or natural gas or any product or by-product of either; making it an offense for any person to forge the name of any other person to such a tender or permit; making it an offense for any person to knowingly use such a forged instrument to induce another to handle or transport any crude petroleum oil or natural gas or any product or by-product of either, etc., and declaring an emergency."

The bill was read second time.

Mr. Steward offered the following committee amendments to the bill:

Amend House Bill No. 862 by striking out Section 3 and inserting in lieu thereof, the following:

"Section 3. Whoever shall knowingly have in his possession a forged tender or permit of the Railroad Commission of Texas relating to crude petroleum oil or natural gas or any product or by-product of either for the purpose of transporting, handling or the sale of said crude petroleum oil or natural gas or any by-product of either, shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$25 nor more than \$1,000 or by confinement in the county jail for not less than thirty days nor more than one year; or by both such fine and jail sentence."

Amend House Bill No. 862 by striking out all above the enacting clause and inserting in lieu thereof the following:

"H. B. No. 862,

A BILL

To Be Entitled

An Act making it an offense for any person to forge the name of any

agent, officer or employe of the Railroad Commission of Texas to a permit or tender of the Railroad Commission of Texas relating to crude petroleum oil or natural gas or any product or by-product of either; making it an offense for any person to forge the name of any other person to such a tender or permit; making it an offense for any person to knowingly use such a forged instrument to induce another to handle or transport any crude petroleum oil or natural gas or any product or by-product of either; making it an offense for any person to knowingly cause or induce any agent, officer or employe of the Railroad Commission of Texas to issue a permit or tender of the Railroad Commission of Texas relating to crude petroleum oil or natural gas or any product or by-product of either containing any statement or representation which materially misrepresents the true fact; making it an offense for any person to procure or cause any agent, officer or employe of the Railroad Commission of Texas to issue a permit or tender relating to crude petroleum oil or natural gas or any product or by-product of either containing any statement or representation which materially misrepresents the true fact; making it an offense for any person to knowingly have in his possession a forged tender or permit of the Railroad Commission of Texas relating to crude petroleum oil or natural gas or any product or by-product of either for the purpose of transporting, handling or sale; fixing penalties therefor; providing that if part of this Act shall be held unconstitutional the remainder shall be valid, and declaring an emergency."

The amendments were severally adopted.

House Bill No. 862 was then passed to engrossment.

#### HOUSE BILL NO. 862 ON THIRD READING

Mr. Steward moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 862 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Adamson                      Aikin  
Adkins                        Alsup

Atchison	Keefe
Bergman	Knetsch
Bourne	Lange
Bradbury	Lanning
Bradford	Latham
Broyles	Lemens
Burton	Leonard
Butler of Karnes	Lotief
Cagle	Lucas
Calvert	Mauritz
Celaya	McConnell
Clayton	McFarland
Collins	McKee
Colquitt	Moffett
Cooper	Moore
Cowley	Morris
Craddock	Morrison
Daniel	Morse
Davison of Fisher	Newton
Davisson	Nicholson
of Eastland	Padgett
Dickison	Palmer
Dunagan	Patterson
Dunlap of Hays	Payne
Dwyer	Pope
England	Quinn
Fain	Reader
Fisher	Reed of Bowie
Fox	Reed of Dallas
Frazer	Roach of Angelina
Fuchs	Roach of Hunt
Gibson	Roane
Glass	Roark
Good	Roberts
Graves	Rogers
Gray	Russell
Greathouse	Rutta
Hankamer	Scarborough
Hanna	Settle
Hardin	Shofner
Harris of Archer	Smith
Harris of Dallas	Stanfield
Head	Steward
Hodges	Stinson
Hofheinz	Stovall
Holland	Tarwater
Hoskins	Tennyson
Huddleston	Thornton
Hunt	Tillery
Hunter	Venable
Hyder	Waggoner
Jackson	Walker
James	Wells
Jefferson	Westfall
Jones of Atascosa	Wood of Harrison
Jones of Runnels	Wood of Montague
Jones of Shelby	Young
Jones of Wise	Youngblood

Nays—2

Farmer                      Lindsey

Absent

Ash	Caldwell
Beck	Colson
Butler of Brazos	Crossley

Dunlap of Kleberg King  
 Duvall Leath  
 Fitzwater Luker  
 Ford Olsen  
 Herzik Petsch  
 Hill Riddle  
 Howard Spears  
 Jones of Falls

## Absent—Excused

Alexander McCalla  
 Canon McKinney  
 Davis Worley  
 Hartzog

The Speaker then laid House Bill No. 862 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—122

Adamson Hardin  
 Adkins Harris of Archer  
 Aikin Harris of Dallas  
 Alsup Head  
 Atchison Herzik  
 Beck Hodges  
 Bergman Hofheinz  
 Bourne Holland  
 Bradbury Hoskins  
 Bradford Huddleston  
 Broyles Hunt  
 Burton Hunter  
 Butler of Brazos Hyder  
 Butler of Karnes Jackson  
 Cagle James  
 Calvert Jefferson  
 Celaya Jones of Atascosa  
 Clayton Jones of Runnels  
 Collins Jones of Shelby  
 Colquitt Jones of Wise  
 Cooper Keefe  
 Cowley Knetsch  
 Craddock Lange  
 Daniel Lanning  
 Davison of Fisher Latham  
 Davisson Lemens  
 of Eastland Leonard  
 Dickison Lindsey  
 Dunagan Lotief  
 Dunlap of Hays Lucas  
 Dwyer Mauritz  
 England McConnell  
 Fain McFarland  
 Fisher McKee  
 Fox Moffett  
 Frazer Moore  
 Fuchs Morris  
 Gibson Morrison  
 Glass Morse  
 Good Newton  
 Graves Nicholson  
 Gray Padgett  
 Greathouse Palmer  
 Hankamer Patterson  
 Hanna Payne

Pope Steward  
 Quinn Stinson  
 Reader Stovall  
 Reed of Bowie Tarwater  
 Reed of Dallas Tennyson  
 Roach of Angelina Thornton  
 Roach of Hunt Tillery  
 Roane Venable  
 Roark Waggoner  
 Roberts Walker  
 Rogers Wells  
 Russell Westfall  
 Rutta Wood of Harrison  
 Settle Wood of Montague  
 Shofner Young  
 Smith Youngblood  
 Stanfield

## Nays—1

Farmer

## Absent

Ash Jones of Falls  
 Caldwell King  
 Colson Leath  
 Crossley Luker  
 Dunlap of Kleberg Olsen  
 Duvall Petsch  
 Fitzwater Riddle  
 Ford Scarborough  
 Hill Spears  
 Howard

## Absent—Excused

Alexander McCalla  
 Canon McKinney  
 Davis Worley  
 Hartzog

## HOUSE BILL NO. 866 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 866, A bill to be entitled "An Act to amend Article 1302, Revised Civil Statutes of Texas, 1925, by adding a new section, to be known as 95-b, to provide for the creation of corporations for the purpose of establishing, maintaining, operating and engaging in the business of cleaning, pressing and dyeing clothing and other materials, and declaring an emergency."

The bill was read second time.

Mr. Adamson offered the following amendment to the bill:

Amend House Bill No. 866 by adding the following:

"Section 2. The fact that the present statutes of the State of Texas do not authorize the formation of corporations for the purpose of establishing, maintaining, operating and engaging in the business of cleaning,



pressing and dyeing of clothing and other material, creates an emergency and an imperative public necessity demanding that the constitutional rule, requiring bills to be read on three several days in each House, shall be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

House Bill No. 866 was then passed to engrossment.

### HOUSE BILL NO. 866 ON THIRD READING

Mr. Adamson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 866 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—112

Adamson	Gibson
Adkins	Glass
Aikin	Good
Alsup	Graves
Atchison	Gray
Beck	Hankamer
Bergman	Hanna
Bourne	Harris of Archer
Bradbury	Harris of Dallas
Bradford	Head
Broyles	Herzik
Burton	Hodges
Butler of Brazos	Hofheinz
Butler of Karnes	Hoskins
Cagle	Howard
Calvert	Huddleston
Celaya	Hunt
Clayton	Hunter
Collins	Hyder
Colquitt	Jackson
Cooper	James
Cowley	Jones of Runnels
Craddock	Jones of Shelby
Crossley	Jones of Wise
Daniel	Keefe
Davisson	King
of Eastland	Knetsch
Dickison	Lange
Dunagan	Lanning
Dunlap of Hays	Latham
Dwyer	Lemens
England	Leonard
Fain	Lindsey
Farmer	Lotief
Fisher	Lucas
Fox	McConnell
Frazer	McKee
Fuchs	Moffett

Morris	Settle
Morrison	Shofner
Morse	Smith
Newton	Stanfield
Nicholson	Steward
Padgett	Stinson
Palmer	Stovall
Patterson	Tarwater
Payne	Tennyson
Quinn	Thornton
Reed of Dallas	Tillery
Roach of Angelina	Venable
Roach of Hunt	Waggoner
Roane	Wells
Roark	Westfall
Rogers	Wood of Harrison
Russell	Wood of Montague
Rutta	Youngblood
Scarborough	

#### Nays—4

Hardin	Mauritz
Jefferson	Moore

#### Present—Not Voting

Roberts

#### Absent

Ash	Leath
Caldwell	Luker
Colson	McFarland
Davison of Fisher	Olsen
Dunlap of Kleberg	Petsch
Duvall	Pope
Fitzwater	Reader
Ford	Reed of Bowie
Greathouse	Riddle
Hill	Spears
Holland	Walker
Jones of Atascosa	Young
Jones of Falls	

#### Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

The Speaker then laid House Bill No. 866 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

#### Yeas—108

Adamson	Butler of Karnes
Adkins	Cagle
Aikin	Calvert
Alsup	Celaya
Atchison	Clayton
Beck	Colquitt
Bergman	Cooper
Bourne	Cowley
Bradbury	Craddock
Bradford	Daniel
Broyles	Davisson
Burton	of Eastland
Butler of Brazos	Dickison

Dunagan	Mauritz
Dunlap of Hays	McConnell
Dwyer	McFarland
Fain	McKee
Farmer	Moffett
Fisher	Morris
Fox	Morrison
Frazer	Morse
Fuchs	Newton
Gibson	Nicholson
Glass	Padgett
Good	Palmer
Graves	Patterson
Gray	Payne
Greathouse	Quinn
Hankamer	Reed of Bowie
Hanna	Roach of Angelina
Harris of Archer	Roach of Hunt
Harris of Dallas	Roane
Hodges	Roark
Hofheinz	Rogers
Hoskins	Russell
Hunt	Rutta
Hunter	Settle
Hyder	Shofner
Jackson	Smith
James	Stanfield
Jones of Atascosa	Steward
Jones of Runnels	Stinson
Jones of Shelby	Stovall
Jones of Wise	Tarwater
Keefe	Tennyson
King	Thornton
Knetsch	Tillery
Lange	Waggoner
Lanning	Walker
Latham	Wells
Lemens	Westfall
Leonard	Wood of Harrison
Lindsey	Wood of Montague
Lotief	Youngblood
Lucas	

## Nays—5

Hardin	Scarborough
Huddleston	Venable
Jefferson	

## Present—Not Voting

Roberts

## Absent

Ash	Holland
Caldwell	Howard
Collins	Jones of Falls
Colson	Leath
Crossley	Luker
Davison of Fisher	Moore
Dunlap of Kleberg	Olsen
Duvall	Petsch
England	Pope
Fitzwater	Reader
Ford	Riddle
Head	Spears
Herzik	Young
Hill	

## Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Reed of Dallas
Hartzog	Worley

## HOUSE BILL NO. 883 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 883, A bill to be entitled "An Act amending Article 965, Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

## HOUSE BILL NO. 883 ON THIRD READING

Mrs. Moore moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 883 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—122

Adamson	Fuchs
Aikin	Gibson
Alsup	Glass
Atchison	Good
Beck	Graves
Bradbury	Gray
Bradford	Greathouse
Broyles	Hankamer
Burton	Hanna
Butler of Brazos	Hardin
Butler of Karnes	Harris of Archer
Cagle	Harris of Dallas
Calvert	Head
Celaya	Herzik
Clayton	Hodges
Collins	Hofheinz
Colquitt	Holland
Cooper	Hoskins
Cowley	Huddleston
Craddock	Hunt
Crossley	Hunter
Daniel	Hyder
Davison of Fisher	Jackson
Davisson	James
of Eastland	Jefferson
Dickison	Jones of Atascosa
Dunagan	Jones of Runnels
Dunlap of Hays	Jones of Shelby
Dwyer	Jones of Wise
England	Keefe
Fain	King
Farmer	Knetsch
Fisher	Lange
Fox	Lanning

Latham	Roach of Hunt
Lemens	Roane
Leonard	Roark
Lindsey	Roberts
Lotief	Rogers
Lucas	Russell
Luker	Rutta
Mauritz	Scarborough
McConnell	Settle
McFarland	Shofner
McKee	Smith
Moffett	Stanfield
Moore	Steward
Morris	Stinson
Morrison	Stovall
Morse	Tarwater
Newton	Tennyson
Nicholson	Thornton
Padgett	Venable
Palmer	Waggoner
Patterson	Walker
Payne	Wells
Pope	Westfall
Quinn	Wood of Harrison
Reader	Wood of Montague
Reed of Bowie	Young
Reed of Dallas	Youngblood
Roach of Angelina	

## Absent

Adkins	Frazer
Ash	Hill
Bergman	Howard
Bourne	Jones of Falls
Caldwell	Leath
Colson	Olsen
Dunlap of Kleberg	Petsch
Duvall	Riddle
Fitzwater	Spears
Ford	Tillery

## Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

The Speaker then laid House Bill No. 883 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—120

Adamson	Butler of Karnes
Aikin	Cagle
Alsup	Calvert
Atchison	Celaya
Beck	Clayton
Bergman	Collins
Bourne	Colquitt
Bradbury	Cooper
Bradford	Cowley
Broyles	Craddock
Burton	Crossley
Butler of Brazos	Daniel

Davisson	Luker
of Eastland	Mauritz
Dickison	McConnell
Dunagan	McFarland
Dunlap of Hays	McKee
England	Moffett
Fain	Moore
Farmer	Morris
Fisher	Morrison
Fox	Morse
Frazer	Newton
Fuchs	Nicholson
Gibson	Padgett
Glass	Palmer
Good	Payne
Graves	Pope
Gray	Quinn
Greathouse	Reader
Hankamer	Reed of Bowie
Hanna	Reed of Dallas
Hardin	Roach of Angelina
Harris of Archer	Roach of Hunt
Harris of Dallas	Roane
Head	Roark
Hodges	Roberts
Hofheinz	Rogers
Holland	Russell
Hoskins	Rutta
Huddleston	Scarborough
Hunt	Settle
Hunter	Smith
Hyder	Stanfield
Jackson	Steward
James	Stinson
Jefferson	Stovall
Jones of Atascosa	Tarwater
Jones of Runnels	Tennyson
Jones of Shelby	Thornton
Jones of Wise	Tillery
Keefe	Venable
King	Waggoner
Knetsch	Walker
Lanning	Wells
Latham	Westfall
Lemens	Wood of Harrison
Leonard	Wood of Montague
Lindsey	Young
Lotief	Youngblood
Lucas	

## Absent

Adkins	Hill
Ash	Howard
Caldwell	Jones of Falls
Colson	Lange
Davison of Fisher	Leath
Dunlap of Kleberg	Olsen
Duvall	Patterson
Dwyer	Petsch
Fitzwater	Riddle
Ford	Shofner
Herzik	Spears

## Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

HOUSE BILL NO. 928 ON SECOND  
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 928, A bill to be entitled "An Act to exempt banking institutions from furnishing security for any deposits to the extent such deposits are insured under Section 12-b of the Federal Reserve Act, as amended, and declaring an emergency."

The bill was read second time.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 928 was then passed to engrossment.

HOUSE BILL NO. 928 ON THIRD  
READING

Mr. Calvert moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 928 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Adamson	Dwyer
Aikin	England
Alsup	Fain
Atchison	Farmer
Beck	Fisher
Bourne	Fox
Bradbury	Frazer
Bradford	Fuchs
Broyles	Gibson
Burton	Glass
Butler of Brazos	Good
Butler of Karnes	Graves
Cagle	Gray
Calvert	Greathouse
Celaya	Hankamer
Clayton	Hanna
Collins	Harris of Archer
Colquitt	Harris of Dallas
Cooper	Head
Cowley	Herzik
Craddock	Hodges
Crossley	Hofheinz
Daniel	Holland
Davison of Fisher	Hoskins
Davison	Huddleston
of Eastland	Hunt
Dickison	Hunter
Dunagan	Hyder
Dunlap of Hays	Jackson
Duvall	James

Jefferson	Reader
Jones of Atascosa	Reed of Bowie
Jones of Runnels	Reed of Dallas
Jones of Shelby	Roach of Angelina
Jones of Wise	Roach of Hunt
Keefe	Roane
King	Roark
Knetsch	Roberts
Lanning	Russell
Latham	Rutta
Lemens	Scarborough
Leonard	Settle
Lotief	Shofner
Lucas	Smith
Luker	Stanfield
Mauritz	Steward
McConnell	Stinson
McFarland	Stovall
Moffett	Tarwater
Moore	Tennyson
Morris	Thornton
Morrison	Venable
Morse	Waggoner
Newton	Walker
Nicholson	Wells
Padgett	Westfall
Palmer	Wood of Harrison
Patterson	Wood of Montague
Payne	Young
Quinn	Youngblood

Nays—1

Hardin

Absent

Adkins	Lange
Ash	Leath
Bergman	Lindsey
Caldwell	McKee
Colson	Olsen
Dunlap of Kleberg	Petsch
Fitzwater	Pope
Ford	Riddle
Hill	Rogers
Howard	Spears
Jones of Falls	Tillery

Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

The Speaker then laid House Bill No. 928 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—122

Adamson	Bourne
Adkins	Bradbury
Aikin	Bradford
Alsup	Broyles
Atchison	Burton
Beck	Butler of Karnes

Cagle	Knetsch
Calvert	Lanning
Celaya	Latham
Clayton	Lemens
Collins	Leonard
Colquitt	Lindsey
Cooper	Lotief
Cowley	Lucas
Craddock	Luker
Crossley	Mauritz
Daniel	McConnell
Davison of Fisher	McFarland
Davison	McKee
of Eastland	Moffett
Dickison	Moore
Dunagan	Morris
Dunlap of Hays	Morrison
Duvall	Morse
Dwyer	Newton
England	Nicholson
Fain	Padgett
Farmer	Palmer
Fisher	Patterson
Fox	Payne
Frazer	Quinn
Fuchs	Reader
Gibson	Reed of Bowie
Glass	Reed of Dallas
Good	Roach of Angelina
Graves	Roach of Hunt
Gray	Roane
Greathouse	Roark
Hankamer	Roberts
Hanna	Russell
Hardin	Rutta
Harris of Archer	Scarborough
Harris of Dallas	Settle
Head	Shofner
Herzik	Smith
Hodges	Stanfield
Hofheinz	Steward
Holland	Stinson
Hoskins	Stovall
Huddleston	Tarwater
Hunt	Tennyson
Hunter	Thornton
Hyder	Venable
Jackson	Waggoner
James	Walker
Jefferson	Wells
Jones of Atascosa	Westfall
Jones of Runnels	Wood of Harrison
Jones of Shelby	Wood of Montague
Jones of Wise	Young
Keefe	Youngblood
King	

## Absent

Ash	Hill
Bergman	Howard
Butler of Brazos	Jones of Falls
Caldwell	Lange
Colson	Leath
Dunlap of Kleberg	Olsen
Fitzwater	Petsch
Ford	Pope

Riddle	Spears
Rogers	Tillery

## Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

## HOUSE BILL NO. 19 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 19, A bill to be entitled "An Act requiring the filing of all leases, assignment of leases or releases of oil or gas under any school or asylum land in which the State has a reservation of minerals in the General Land Office of Texas within thirty (30) days after the execution thereof; providing that no such lease, assignment of lease or release of any school or asylum land in which the State has a reservation of minerals shall be effective until filed in the General Land Office, etc., and declaring an emergency."

The bill was read second time.

Mr. Daniel offered the following committee amendments to the bill:

Amend House Bill No. 19 by striking out the words "thirty (30) days after the execution," in line 4, Section 1, and inserting the words "ninety days after the execution and delivery."

Amend House Bill No. 19, Section 1, by striking out the language in the last three lines beginning with the word "and" and immediately following the word "terms."

Amend the caption of House Bill No. 19 to conform to the body of the bill.

The amendments were severally adopted.

House Bill No. 19 was then passed to engrossment.

## HOUSE BILL NO. 19 ON THIRD READING

Mr. Daniel moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 19

be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—119

Adamson	James
Adkins	Jefferson
Aikin	Jones of Atascosa
Alsup	Jones of Runnels
Atchison	Jones of Shelby
Beck	Jones of Wise
Bergman	Keefe
Bourne	King
Bradbury	Knetsch
Bradford	Lanning
Broyles	Latham
Burton	Lemens
Butler of Brazos	Leonard
Butler of Karnes	Lindsey
Cagle	Lotief
Calvert	Lucas
Celaya	Luker
Clayton	Mauritz
Collins	McConnell
Colquitt	McFarland
Cooper	McKee
Cowley	Moffett
Craddock	Morris
Crossley	Morrison
Daniel	Newton
Davisson	Nicholson
of Eastland	Padgett
Dickison	Palmer
Dunagan	Patterson
Dunlap of Hays	Payne
Dwyer	Quinn
England	Reader
Fain	Reed of Bowie
Farmer	Reed of Dallas
Fisher	Roach of Angelina
Fox	Roach of Hunt
Frazer	Roark
Fuchs	Roberts
Gibson	Russell
Glass	Rutta
Good	Scarborough
Gray	Settle
Greathouse	Shofner
Hankamer	Smith
Hanna	Stanfield
Hardin	Steward
Harris of Archer	Stinson
Harris of Dallas	Stovall
Head	Tarwater
Herzik	Tennyson
Hodges	Tillery
Hofheinz	Venable
Holland	Waggoner
Hoskins	Walker
Howard	Wells
Huddleston	Westfall
Hunt	Wood of Harrison
Hunter	Wood of Montague
Hyder	Young
Jackson	Youngblood

Absent

Ash	Leath
Caldwell	Moore
Colson	Morse
Davison of Fisher	Olsen
Dunlap of Kleberg	Petsch
Duvall	Pope
Fitzwater	Riddle
Ford	Roane
Graves	Rogers
Hill	Spears
Jones of Falls	Thornton
Lange	

Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

The Speaker then laid House Bill No. 19 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—119

Adamson	Gray
Adkins	Greathouse
Aikin	Hankamer
Alsup	Hanna
Atchison	Hardin
Beck	Harris of Archer
Bergman	Harris of Dallas
Bradbury	Head
Bradford	Herzik
Broyles	Hodges
Burton	Hofheinz
Butler of Brazos	Hoskins
Butler of Karnes	Howard
Cagle	Huddleston
Calvert	Hunt
Celaya	Hunter
Clayton	Hyder
Collins	Jackson
Colquitt	James
Cooper	Jefferson
Cowley	Jones of Atascosa
Craddock	Jones of Runnels
Crossley	Jones of Shelby
Daniel	Jones of Wise
Davison of Fisher	Keefe
Davisson	Knetsch
of Eastland	Lange
Dickison	Lanning
Dunagan	Latham
Dunlap of Hays	Lemens
England	Leonard
Fain	Lindsey
Farmer	Lotief
Fisher	Lucas
Fox	Luker
Fuchs	Mauritz
Gibson	McConnell
Glass	McFarland
Good	McKee

Moffett	Rutta
Moore	Scarborough
Morris	Settle
Morrison	Shofner
Morse	Smith
Newton	Stanfield
Padgett	Stinson
Palmer	Stovall
Patterson	Tarwater
Payne	Tennyson
Quinn	Thornton
Reader	Tillery
Reed of Bowie	Venable
Reed of Dallas	Waggoner
Roach of Angelina	Walker
Roach of Hunt	Wells
Roane	Westfall
Roark	Wood of Harrison
Roberts	Wood of Montague
Rogers	Young
Russell	Youngblood

Nays--1

Steward

Absent

Ash	Hill
Bourne	Holland
Caldwell	Jones of Falls
Colson	King
Dunlap of Kleberg	Leath
Duvall	Nicholson
Dwyer	Olsen
Fitzwater	Petsch
Ford	Pope
Frazer	Riddle
Graves	Spears

Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

### HOUSE BILL NO. 68 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 68, A bill to be entitled "An Act authorizing counties, municipalities, political subdivisions and taxing districts to sell to the Reconstruction Finance Corporation, or any other governmental agency, at less than par, and/or to compromise or adjust bonds held by it by selling and/or exchanging the same to the Reconstruction Finance Corporation, or any other governmental agency, at an agreed price which may be less than par, and declaring an emergency."

The bill was read second time.

Mr. Leonard offered the following amendments to the bill:

Amend House Bill No. 68 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. Whenever any county, district, city or town, or other municipality or defined subdivision of this State shall own bonds or other securities, or warrants, notes or other obligations or evidences of indebtedness of any other county, district, city or town, or other municipality or defined subdivision of this State, the same may be sold to the Reconstruction Finance Corporation or any other agency or department of the Federal Government at such price, whether or not less than the par or face amount thereof, as shall seem to the governing body of the seller to be reasonable and for the best interests of the seller.

"Sec. 2. All laws or parts of laws so far as they conflict herewith are hereby repealed.

"Sec. 3. The public importance of this matter and the necessity for its enactment to relieve the acute financial embarrassment and preserve the faith and credit of many municipalities, political subdivisions and taxing districts in this State, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule, requiring bills to be read on three several days in each house, and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

Amend House Bill No. 68 by striking out all above the enacting clause and substituting in lieu thereof the following:

H. B. No. 68, A bill to be entitled "An Act authorizing counties, districts, cities or towns, or other municipalities or defined subdivisions of this State, to sell bonds or other securities, warrants, notes, obligations, or other evidences of indebtedness of any other county, district, city, town, or other municipality or defined subdivision of this State, to the Reconstruction Finance Corporation, or any other agency or department of the Federal Government, at such a price, whether or not less than the par value or face

amount thereof, as shall seem to the governing body of the seller to be reasonable and for the best interests of the seller, repealing all laws in conflict therewith, and declaring an emergency."

The amendments were severally adopted.

House Bill No. 68 was then passed to engrossment.

### HOUSE BILL NO. 68 ON THIRD READING

Mr. Leonard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 68 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

Adamson	Gray
Adkins	Greathouse
Aikin	Hankamer
Alsup	Hanna
Atchison	Harris of Archer
Beck	Harris of Dallas
Bergman	Head
Bourne	Herzik
Bradbury	Hodges
Bradford	Hofheinz
Broyles	Holland
Burton	Hoskins
Butler of Karnes	Howard
Cagle	Huddleston
Calvert	Hunt
Celaya	Hunter
Clayton	Hyder
Collins	Jackson
Colquitt	James
Cooper	Jefferson
Cowley	Jones of Atascosa
Craddock	Jones of Runnels
Crossley	Jones of Shelby
Davison of Fisher	Jones of Wise
Davisson	Keefe
of Eastland	King
Dickison	Knetsch
Dunagan	Lange
Dunlap of Hays	Lanning
Duvall	Latham
Dwyer	Lemens
England	Leonard
Fain	Lotief
Farmer	Lucas
Fisher	Mauritz
Fox	McConnell
Frazer	McFarland
Fuchs	McKee
Gibson	Moffett
Glass	Moore
Good	Morris
Graves	Morrison

Morse	Settle
Newton	Shofner
Nicholson	Smith
Padgett	Stanfield
Palmer	Steward
Patterson	Stinson
Payne	Stovall
Quinn	Thornton
Reader	Tillery
Reed of Bowie	Venable
Roach of Angelina	Waggoner
Roach of Hunt	Wells
Roark	Westfall
Roberts	Wood of Harrison
Rogers	Wood of Montague
Russell	Young
Rutta	Youngblood
Scarborough	

Nays—2

Hardin	Lindsey
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Absent

Ash	Luker
Butler of Brazos	Olsen
Caldwell	Petsch
Colson	Pope
Daniel	Reed of Dallas
Dunlap of Kleberg	Riddle
Fitzwater	Roane
Ford	Spears
Hill	Tarwater
Jones of Falls	Tennyson
Leath	Walker

Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

The Speaker then laid House Bill No. 68 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—119

Adamson	Colquitt
Adkins	Cooper
Aikin	Cowley
Alsup	Craddock
Atchison	Crossley
Beck	Daniel
Bergman	Davison of Fisher
Bourne	Davisson
Bradbury	of Eastland
Bradford	Dickison
Broyles	Dunagan
Burton	Dunlap of Hays
Butler of Brazos	England
Butler of Karnes	Fain
Calvert	Farmer
Celaya	Fisher
Clayton	Frazer
Collins	Fuchs



Gibson	McKee
Glass	Moffett
Good	Moore
Graves	Morris
Gray	Morrison
Greathouse	Morse
Hankamer	Newton
Hanna	Nicholson
Hardin	Padgett
Harris of Archer	Palmer
Harris of Dallas	Patterson
Head	Payne
Hodges	Reader
Hofheinz	Reed of Bowie
Holland	Roach of Angelina
Hoskins	Roach of Hunt
Howard	Roark
Huddleston	Roberts
Hunt	Rogers
Hunter	Russell
Hyder	Rutta
Jackson	Scarborough
James	Settle
Jefferson	Shofner
Jones of Atascosa	Smith
Jones of Runnels	Stanfield
Jones of Shelby	Steward
Jones of Wise	Stinson
Keefe	Stovall
King	Tarwater
Knetsch	Tennyson
Lanning	Thornton
Latham	Tillery
Leath	Venable
Lemens	Waggoner
Leonard	Walker
Lotief	Wells
Lucas	Westfall
Luker	Wood of Harrison
Mauritz	Wood of Montague
McConnell	Young
McFarland	Youngblood

## Nays—4

Cagle	Quinn
Lindsey	Roane

## Absent

Ash	Herzik
Caldwell	Hill
Colson	Jones of Falls
Dunlap of Kleberg	Lange
Duvall	Olsen
Dwyer	Petsch
Fitzwater	Pope
Ford	Riddle
Fox	Spears

## Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Reed of Dallas
Hartzog	Worley

Mr. Colquitt moved to reconsider the vote by which House Bill No. 68

was passed, and to table the motion to reconsider.

The motion to table prevailed.

## HOUSE BILL NO. 70 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 70, A bill to be entitled "An Act amending Article 2956 by adding thereto another section, Article 2956-a, providing that persons who are feeble, ill and confined in bed or confined to their places of abode by reason of illness, may vote as absentees, may vote under Article 2956; providing that persons who are ill, aged or decrepit, and who are unable to walk to the polls, may be driven in any vehicle, wheel chair or other conveyance to such voting place, etc., and declaring an emergency."

The bill was read second time.

Mr. Dunagan offered the following committee amendment to the bill:

Strike out all of Section 1 of House Bill No. 70 and insert in lieu thereof, the following:

"Section 1. That Article 2956 of the Revised Civil Statutes of 1925 be amended by adding thereto another section to be known as Article 2956-a which shall read as follows:

"Article 2956-a. If any qualified elector, as defined by the laws of this State, be ill or feeble and be confined to his or her bed or place of abode, such elector, desiring to vote in an election, may be entitled to vote in said election in the same manner and under the same conditions as required by Article 2956 of the Revised Statutes of 1925; provided however, that before being entitled to the privileges of this article, said elector must, not more than twenty days nor less than ten days prior to the date of such election, make an affidavit to the effect that he or she is ill or feeble and confined to his or her bed or place of abode and send such affidavit together with his or her poll tax receipt or certificate and his or her application for a ballot to the county clerk of the county of his or her residence. Provided further, that the judge of the election shall mark opposite the name of an elector voting under the provisions of this article, the word 'absentee'."

And amend the caption to conform with the body of the bill.

Mr. Lucas offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 70, page 2, by striking out the word "ten" and insert in lieu thereof the word "three."

The amendment was adopted.

The committee amendment, as amended, was then adopted.

Mr. Leonard offered the following amendment to the bill:

Amend House Bill No. 70 by striking out Section 2 and adding the following:

"Section 2. Article 2956, Revised Civil Statutes of 1925, as amended by the Regular Session of the Forty-second Legislature and as amended by the Regular Session of the Forty-third Legislature, is hereby amended so as to hereafter read as follows:

"Article 2956. Any qualified elector, as defined by the laws of this State, who expects to be absent from the county of his or her residence on the day of the election, may vote subject to the following conditions, to wit: At some time not more than ten days nor less than three days prior to the date of such election such elector shall make his or her personal appearance before the county clerk of his or her residence, and if personally unknown to such clerk, shall be identified by at least two reputable citizens of such county, and shall deliver to such clerk his or her poll tax receipt or exemption certificate, entitling him or her to vote at such election, and said clerk shall deliver to such elector one ballot which has been prepared in accordance with the law for use in such election which shall then and there be marked by said elector apart and without the assistance or suggestion of any person and in such manner as said elector shall desire same to be voted, which ballot shall be folded and placed in a sealed envelope and delivered to said clerk, who shall keep same so sealed, and who shall also keep said poll tax or certificate open to the inspection of any person who may wish to examine or see same until the second day prior to said election, and said clerk shall on said second day place the said poll tax receipt or certificate, together with the said envelope containing said marked ballot, in another envelope, which shall be by said clerk then mailed to the presiding judge

of the voting precinct in which said elector lives. Or at some time not more than twenty days nor less than three days prior to the date of such election, such elector shall make his or her personal appearance before a notary public, and if personally unknown to such notary public, shall be identified by at least two reputable citizens, and shall deliver to such notary public his poll tax receipt or exemption certificate, entitling said elector to vote at such election, or if such elector shall have lost or misplaced his or her poll tax receipt, he or she shall be entitled to vote upon making affidavit that such poll tax was actually paid by him or her before said first day of February next preceding such election at which he or she offers to vote and that said receipt has been lost, or misplaced, and in such case the affidavit so made shall be sent by the officer administering the oath to the county clerk of the county in which such elector resides. Such county clerk receiving the affidavit shall verify same by examining the poll tax records of the county wherein said elector resides, or where he claims his residence to be. Said notary public shall mail same to the county clerk of the county of residence of such elector so named, and upon receipt of the poll tax receipt or exemption certificate, the county clerk shall mail to such elector one ballot which has been prepared in accordance with the law for use in such election under registered letter marked 'Official ballot for (giving elector's name), not to be opened except in the presence of a notary public,' printed on outside of letter. Such elector shall make oath before such notary public that such ballot was then and there marked by such elector apart and without assistance or suggestion of any other person, in such manner as said elector shall desire same to be voted, which ballot shall be folded and placed in a sealed envelope together with such affidavit, which shall be marked on the outside of said envelope 'Official ballot of (giving elector's name)' and mailed by such notary public to the county clerk of the county wherein such elector votes, who shall keep same so sealed, and who shall also keep said poll tax receipt or certificate open to the inspection of any person who may wish to examine or see same until the second day prior to said election, and

said clerk shall on said day place the said poll tax receipt or certificate together with the sealed envelope containing marked ballot in another envelope which shall be by said clerk mailed to the presiding judge of the voting precinct in which said elector lives. The postage for the entire correspondence herein made necessary shall be provided by said elector. In the presence of the election officers provided by law, and on the day of such election, and between the hours of 2 and 3 o'clock the said presiding judge of same in the precinct of the residence of said elector shall open the envelope containing said poll tax receipts and marked ballots and publicly announce that the ballot of such named electors is proposed to be cast, at which time any person who desires to challenge said vote and the right of same to be cast, shall be heard to present such challenge, and if there be no challenge of same, said vote shall be cast and counted according to the law; and if there be any challenge of such vote, legal cause for same shall be heard and decided according to the law provided in the case of challenge. In case no challenge is made, such poll tax receipt, after same is marked 'Voted' as provided by law, shall be mailed back to the said county clerk. But in case of challenge, if challenged, such poll tax receipt together with affidavits relating thereto shall be mailed by said judge of election to the county clerk of such county who shall keep same for thirty days and if no demand be made for the production of same before any body or persons in authority within said time, said county clerk shall deliver such receipt to the owners thereof. When voted, the judge of election shall mark opposite the name of such absentee voter the word 'Absentee.' The provisions of this article shall apply to all elections, including general, special and primary elections, except primary elections ordered by the executive committee of a political party to nominate candidates for a special election; provided, however, that the executive committee of a political party may at its option provide in ordering a special primary election that any qualified voter who expects to be absent from the county of his residence on the day of the election may vote in accordance with the procedure under either of the methods prescribed in this Act at some time

not more than ten days nor less than three days prior to the date of such election.'

"Sec. 3. The fact that Article 2956 allows lax handling of absentee voting and that there is now no adequate law whereby qualified voters who are incapacitated may vote, creates an emergency and an imperative public necessity that the constitutional rule, requiring all bills to be read on three several days in each house, be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 70 was then passed to engrossment.

#### HOUSE BILL NO. 70 ON THIRD READING

Mr. Leonard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 70 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104

Adamson	Frazer
Aikin	Fuchs
Alsup	Gibson
Atchison	Glass
Beck	Good
Bradbury	Graves
Broyles	Greathouse
Burton	Hankamer
Butler of Karnes	Hanna
Cagle	Hardin
Celaya	Harris of Archer
Collins	Harris of Dallas
Colquitt	Head
Cooper	Herzik
Crossley	Hofheinz
Daniel	Holland
Davisson	Hoskins
of Eastland	Huddleston
Dickison	Hunt
Dunagan	Hunter
Dunlap of Hays	Hyder
Dwyer	Jackson
England	James
Fain	Jefferson
Farmer	Jones of Atascosa
Fisher	Jones of Runnels
Fox	Jones of Shelby

Jones of Wise	Reed of Dallas
Keefe	Roach of Hunt
King	Roane
Knetsch	Roark
Lanning	Russell
Latham	Rutta
Lemens	Settle
Leonard	Shofner
Lotief	Smith
Lucas	Stanfield
Mauritz	Steward
McConnell	Stinson
McFarland	Stovall
Moffett	Tarwater
Moore	Tennyson
Morris	Thornton
Morrison	Tillery
Morse	Venable
Newton	Walker
Nicholson	Wells
Padgett	Westfall
Palmer	Wood of Harrison
Patterson	Wood of Montague
Payne	Young
Quinn	Youngblood
Reed of Bowie	

## Absent

Adkins	Hodges
Ash	Howard
Bergman	Jones of Falls
Bourne	Lange
Bradford	Leath
Butler of Brazos	Lindsey
Caldwell	Luker
Calvert	McKee
Clayton	Olsen
Colson	Petsch
Cowley	Pope
Craddock	Reader
Davison of Fisher	Riddle
Dunlap of Kleberg	Roach of Angelina
Duvall	Roberts
Fitzwater	Rogers
Ford	Scarborough
Gray	Spears
Hill	Waggoner

## Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

The Speaker then laid House Bill No. 70 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—113

Adamson	Bourne
Alsop	Bradbury
Atchison	Bradford
Beck	Broyles

Burton	Jones of Runnels
Butler of Brazos	Jones of Shelby
Butler of Karnes	Jones of Wise
Cagle	Keefe
Calvert	King
Celaya	Knetsch
Clayton	Lanning
Collins	Latham
Colquitt	Lemens
Cooper	Leonard
Cowley	Lotief
Craddock	Lucas
Crossley	Luker
Daniel	Mauritz
Davison of Fisher	McConnell
Davisson	McFarland
of Eastland	McKee
Dickison	Moffett
Dunagan	Moore
Dunlap of Hays	Morris
Duvall	Morse
England	Newton
Fain	Nicholson
Farmer	Padgett
Fisher	Palmer
Fox	Patterson
Frazer	Payne
Fuchs	Reader
Gibson	Reed of Bowie
Glass	Reed of Dallas
Good	Roach of Hunt
Graves	Roane
Gray	Roark
Greathouse	Russell
Hankamer	Rutta
Hanna	Scarborough
Hardin	Settle
Harris of Dallas	Shofner
Head	Smith
Herzik	Stanfield
Hodges	Steward
Hofheinz	Stinson
Holland	Stovall
Hoskins	Tennyson
Howard	Thornton
Huddleston	Tillery
Hunt	Venable
Hunter	Wells
Hyder	Westfall
Jackson	Wood of Harrison
James	Wood of Montague
Jefferson	Young
Jones of Atascosa	Youngblood

## Nays—3

Walker

## Absent

Adkins	Ford
Ash	Harris of Archer
Bergman	Hill
Caldwell	Jones of Falls
Colson	Lange
Dunlap of Kleberg	Leath
Dwyer	Lindsey
Fitzwater	Olsen

Petsch  
Pope  
Quinn  
Riddle  
Roach of Angelina  
Roberts  
Rogers  
Spears  
Tarwater  
Waggoner

Absent—Excused

Alexander  
Canon  
Davis  
Hartzog  
McCalla  
McKinney  
Worley

#### SENATE BILL NO. 26 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 26, A bill to be entitled "An Act to amend Articles 1847 and 1848, Chapter 3, Title 39 of the Revised Statutes of 1925, as amended by Chapter 64, page 98, of the Acts of the Regular Session of the Forty-second Legislature, so as to provide for the filing of records in the order received in the Court of Civil Appeals, and for setting of cases for submission in said Court and for notice thereof to the parties of the receipt of the record and instruments by the clerk and the date set for submission, and so as to provide for time for filing briefs in the Court of Civil Appeals, and authorizing the granting of further time for filing briefs in said court, and for extension of time for submission of cases in said court, and repealing Article 2283 of the Revised Statutes of 1925, and repealing all laws in conflict with this Act, and declaring an emergency."

The bill was read second time, and was passed to third reading.

#### SENATE BILL NO. 26 ON THIRD READING

Mr. Thornton moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 26 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

Adamson  
Aikin  
Alsup  
Atchison  
Beck  
Bourne  
Bradbury  
Bradford  
Broyles  
Burton  
Butler of Brazos  
Butler of Karnes  
Cagle  
Calvert  
Clayton  
Collins

Colquitt  
Cooper  
Cowley  
Craddock  
Daniel  
Davison of Fisher  
Davison  
of Eastland  
Dickison  
Dunagan  
Dunlap of Hays  
Dwyer  
England  
Fain  
Farmer  
Fisher  
Fox  
Frazer  
Fuchs  
Gibson  
Glass  
Good  
Graves  
Gray  
Greathouse  
Hankamer  
Hanna  
Hardin  
Harris of Archer  
Harris of Dallas  
Head  
Herzik  
Hodges  
Hofheinz  
Holland  
Hoskins  
Howard  
Huddleston  
Hunt  
Hunter  
Hyder  
Jackson  
James  
Jones of Atascosa  
Jones of Runnels  
Jones of Shelby  
Jones of Wise  
King  
Knetsch  
Lange  
Lanning  
Latham  
Leath  
Lemens  
Leonard  
Lotief  
Luker  
Mauritz  
McConnell  
McFarland  
McKee  
Moffett  
Moore  
Morris  
Morrison  
Morse  
Newton  
Nicholson  
Padgett  
Palmer  
Patterson  
Pope  
Quinn  
Reader  
Reed of Bowie  
Reed of Dallas  
Roach of Angelina  
Roach of Hunt  
Roane  
Roark  
Roberts  
Rogers  
Rutta  
Scarborough  
Settle  
Shofner  
Smith  
Stanfield  
Steward  
Stinson  
Stovall  
Tennyson  
Thornton  
Tillery  
Venable  
Waggoner  
Walker  
Wells  
Westfall  
Wood of Harrison  
Wood of Montague  
Young  
Youngblood

#### Absent

Adkins  
Ash  
Bergman  
Caldwell  
Celaya  
Colson  
Crossley  
Dunlap of Kleberg  
Duvall  
Fitzwater  
Ford  
Hill  
Jefferson  
Jones of Falls  
Keefe  
Lindsey  
Lucas  
Olsen  
Payne  
Petsch  
Riddle  
Russell  
Spears  
Tarwater

## Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

The Speaker then laid Senate Bill No. 26 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—121

Adamson	Hunt
Aikin	Hunter
Alsup	Hyder
Atchison	Jackson
Beck	James
Bourne	Jefferson
Bradbury	Jones of Atascosa
Bradford	Jones of Runnels
Broyles	Jones of Shelby
Burton	Jones of Wise
Butler of Brazos	Keefe
Butler of Karnes	King
Calvert	Knetsch
Clayton	Lange
Collins	Lanning
Colquitt	Latham
Cooper	Lemens
Cowley	Leonard
Craddock	Lotief
Crossley	Lucas
Daniel	Luker
Davisson	Mauritz
of Eastland	McConnell
Dickison	McFarland
Dunagan	McKee
Dunlap of Hays	Moffett
Dwyer	Moore
England	Morris
Fain	Morrison
Farmer	Morse
Fisher	Newton
Fox	Nicholson
Frazer	Padgett
Fuchs	Palmer
Gibson	Patterson
Glass	Pope
Good	Quinn
Graves	Reader
Gray	Reed of Bowie
Greathouse	Reed of Dallas
Hankamer	Roach of Angelina
Hanna	Roach of Hunt
Hardin	Roane
Harris of Archer	Roark
Harris of Dallas	Roberts
Head	Rogers
Herzik	Russell
Hodges	Rutta
Hofheinz	Scarborough
Holland	Settle
Hoskins	Shofner
Howard	Smith
Huddleston	Stanfield

Steward  
Stinson  
Stovall  
Tarwater  
Tennyson  
Thornton  
Tillery  
Venable

Waggoner  
Walker  
Wells  
Westfall  
Wood of Harrison  
Wood of Montague  
Young  
Youngblood

## Absent

Adkins	Ford
Ash	Hill
Bergman	Jones of Falls
Cagle	Leath
Caldwell	Lindsey
Celaya	Olsen
Colson	Payne
Davison of Fisher	Petsch
Dunlap of Kleberg	Riddle
Duvall	Spears
Fitzwater	

## Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

## HOUSE BILL NO. 867 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 867, A bill to be entitled "An Act creating a conservation and reclamation district, to be known as 'Lower Rio Grande Flood Control District,' pursuant to and for the purposes set forth in Section 59, of Article XVI, of the Constitution of the State of Texas, and to be a governmental agency, body politic and corporate without power to mortgage its property, or levy taxes or assessments, or to pledge the credit of the State; etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

## HOUSE BILL NO. 867 ON THIRD READING

Mr. Celaya moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 867 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—122

Adamson	Alsup
Aikin	Atchison

Beck	Jones of Shelby
Bourne	Jones of Wise
Bradbury	Keefe
Bradford	King
Broyles	Knetsch
Burton	Lanning
Butler of Brazos	Latham
Butler of Karnes	Leath
Calvert	Lemens
Celaya	Leonard
Clayton	Lotief
Collins	Lucas
Colquitt	Luker
Cooper	Mauritz
Cowley	McConnell
Craddock	McFarland
Crossley	McKee
Daniel	Moffett
Davison of Fisher	Moore
Davisson	Morris
of Eastland	Morrison
Dickison	Morse
Dunagan	Newton
Dunlap of Hays	Nicholson
Dwyer	Padgett
England	Palmer
Fain	Patterson
Farmer	Payne
Fisher	Quinn
Fox	Reader
Frazer	Reed of Bowie
Fuchs	Reed of Dallas
Gibson	Roach of Angelina
Glass	Roach of Hunt
Good	Roark
Graves	Roberts
Gray	Rogers
Greathouse	Russell
Hankamer	Rutta
Hanna	Scarborough
Hardin	Settle
Harris of Archer	Shofner
Harris of Dallas	Smith
Head	Stanfield
Herzik	Steward
Hodges	Stinson
Hofheinz	Stovall
Holland	Tarwater
Hoskins	Thornton
Howard	Tillery
Huddleston	Venable
Hunt	Waggoner
Hunter	Walker
Hyder	Wells
Jackson	Westfall
James	Wood of Harrison
Jefferson	Wood of Montague
Jones of Atascosa	Young
Jones of Runnels	Youngblood
Absent	
Adkins	Dunlap of Kleberg
Ash	Duvall
Bergman	Fitzwater
Cagle	Ford
Caldwell	Hill
Colson	Jones of Falls

Lange	Riddle
Lindsey	Roane
Olsen	Spears
Petsch	Tennyson
Pope	

Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

The Speaker then laid House Bill No. 867 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote;

Yeas—114

Adamson	Hoskins
Alsup	Howard
Atchison	Huddleston
Beck	Hunt
Bourne	Hunter
Bradbury	Hyder
Bradford	Jackson
Broyles	James
Burton	Jefferson
Butler of Brazos	Jones of Atascosa
Butler of Karnes	Jones of Runnels
Celaya	Jones of Shelby
Clayton	Jones of Wise
Collins	Keefe
Colquitt	King
Cooper	Lanning
Cowley	Latham
Craddock	Leath
Crossley	Lemens
Daniel	Leonard
Davisson	Lotief
of Eastland	Lucas
Dickison	Luker
Dunagan	McConnell
Dunlap of Hays	McFarland
Dwyer	McKee
England	Moffett
Fain	Moore
Farmer	Morris
Fisher	Morrison
Fox	Morse
Frazer	Newton
Fuchs	Nicholson
Gibson	Padgett
Glass	Palmer
Good	Patterson
Graves	Pope
Gray	Quinn
Greathouse	Reader
Hankamer	Reed of Bowie
Hanna	Reed of Dallas
Hardin	Roach of Angelina
Harris of Archer	Roach of Hunt
Harris of Dallas	Roark
Head	Roberts
Hodges	Rogers
Hofheinz	Russell
Holland	Rutta

Scarborough	Venable
Settle	Waggoner
Shofner	Walker
Smith	Wells
Stanfield	Westfall
Steward	Wood of Harrison
Stinson	Wood of Montague
Stovall	Young
Tennyson	Youngblood
Thornton	

Nays—2

Aikin                      Lindsey

Present—Not Voting

Knetsch

Absent

Adkins	Hill
Ash	Jones of Falls
Bergman	Lange
Cagle	Mauritz
Caldwell	Olsen
Calvert	Payne
Colson	Petsch
Davison of Fisher	Riddle
Dunlap of Kleberg	Roane
Duvall	Spears
Fitzwater	Tarwater
Ford	Tillery
Herzik	

Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

HOUSE BILL NO. 936 ON SECOND  
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 936, A bill to be entitled "An Act making it unlawful to take squirrels in Washington County at any time other than during the months of May, June, July, October, November, and December, or to take more than ten squirrels in one day or to possess more than twenty squirrels at one time; providing a penalty; repealing all laws in conflict with this Act, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 936 ON THIRD  
READING

Mr. Fuchs moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 936 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Adamson	Jefferson
Aikin	Jones of Atascosa
Alsup	Jones of Runnels
Atchison	Jones of Shelby
Beck	Jones of Wise
Bergman	King
Bourne	Knetsch
Bradbury	Lange
Bradford	Lanning
Broyles	Latham
Burton	Leath
Butler of Brazos	Lemens
Butler of Karnes	Leonard
Cagle	Lotief
Calvert	Lucas
Celaya	Luker
Clayton	Mauritz
Colquitt	McConnell
Colson	McKee
Cooper	Moffett
Cowley	Moore
Craddock	Morris
Crossley	Morrison
Daniel	Morse
Davison of Fisher	Newton
Davisson	Nicholson
of Eastland	Padgett
Dickison	Palmer
Dunagan	Patterson
Dunlap of Hays	Payne
Dunlap of Kleberg	Pope
Dwyer	Quinn
England	Reader
Fain	Reed of Bowie
Farmer	Reed of Dallas
Fisher	Roach of Hunt
Fox	Roane
Frazer	Roark
Fuchs	Roberts
Glass	Russell
Good	Rutta
Graves	Scarborough
Gray	Settle
Greathouse	Shofner
Hankamer	Smith
Hanna	Stanfield
Hardin	Steward
Harris of Archer	Stinson
Harris of Dallas	Stovall
Head	Tarwater
Herzik	Tennyson
Hodges	Thornton
Hofheinz	Tillery
Holland	Venable
Hoskins	Waggoner
Howard	Walker
Huddleston	Wells
Hunt	Westfall
Hunter	Wood of Harrison
Hyder	Wood of Montague
Jackson	Young
James	Youngblood



## Nays—1

Roach of Angelina

## Absent

Adkins	Jones of Falls
Ash	Keefe
Caldwell	Lindsey
Collins	McFarland
Duvall	Olsen
Fitzwater	Petsch
Ford	Riddle
Gibson	Rogers
Hill	Spears

## Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

The Speaker then laid House Bill No. 936 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—127

Adamson	Fisher
Aikin	Fox
Alsup	Frazer
Atchison	Fuchs
Beck	Gibson
Bergman	Glass
Bourne	Good
Bradbury	Graves
Bradford	Gray
Broyles	Greathouse
Burton	Hankamer
Butler of Brazos	Hanna
Butler of Karnes	Hardin
Cagle	Harris of Archer
Calvert	Harris of Dallas
Celaya	Head
Clayton	Herzik
Collins	Hodges
Colquitt	Hofheinz
Colson	Holland
Cooper	Hoskins
Cowley	Howard
Craddock	Huddleston
Crossley	Hunt
Daniel	Hunter
Davison of Fisher	Hyder
Davisson	Jackson
of Eastland	James
Dickison	Jefferson
Dunagan	Jones of Atascosa
Dunlap of Hays	Jones of Runnels
Dunlap of Kleberg	Jones of Shelby
Duvall	Jones of Wise
Dwyer	Keefe
England	King
Fain	Knetsch
Farmer	Lanning

Latham

Leath

Lemens

Leonard

Lotief

Lucas

Luker

Mauritz

McConnell

McFarland

McKee

Moffett

Moore

Morris

Morrison

Morse

Newton

Nicholson

Padgett

Patterson

Payne

Pope

Quinn

Reader

Reed of Bowie

Reed of Dallas

Roach of Hunt

Roane

Roark

Roberts

Rogers

Russell

Rutta

Scarborough

Settle

Shofner

Smith

Stanfield

Steward

Stinson

Stovall

Tarwater

Tennyson

Thornton

Tillery

Venable

Waggoner

Walker

Wells

Westfall

Wood of Harrison

Wood of Montague

Young

Youngblood

## Nays—1

Roach of Angelina

## Absent

Adkins	Lange
Ash	Lindsey
Caldwell	Olsen
Fitzwater	Palmer
Ford	Petsch
Hill	Riddle
Jones of Falls	Spears

## Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

## HOUSE BILL NO. 915 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 915, A bill to be entitled "An Act to prohibit the use of a seine or net for taking fish in Montgomery County except a seine or net of not less than three-inch square mesh during certain months; excepting a minnow seine from provisions of this Act; providing a penalty; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 915 ON THIRD  
READING

Mr. Colson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 915 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Adamson	Howard
Aikin	Huddleston
Alsup	Hunt
Atchison	Hunter
Beck	Hyder
Bergman	Jackson
Bourne	James
Bradbury	Jefferson
Bradford	Jones of Atascosa
Broyles	Jones of Runnels
Burton	Jones of Shelby
Butler of Brazos	Jones of Wise
Butler of Karnes	King
Cagle	Knetsch
Calvert	Lange
Celaya	Lanning
Clayton	Latham
Colquitt	Leath
Colson	Lemens
Cooper	Leonard
Cowley	Lotief
Craddock	Lucas
Crossley	Luker
Daniel	Mauritz
Davison of Fisher	McConnell
Davisson	McKee
of Eastland	Moffett
Dickison	Moore
Dunagan	Morris
Dunlap of Hays	Morrison
Dunlap of Kleberg	Morse
Dwyer	Newton
England	Nicholson
Fain	Padgett
Farmer	Palmer
Fisher	Patterson
Fox	Payne
Frazer	Pope
Fuchs	Quinn
Glass	Reader
Good	Reed of Bowie
Graves	Reed of Dallas
Gray	Roach of Hunt
Greathouse	Roane
Hankamer	Roark
Hanna	Roberts
Hardin	Russell
Harris of Archer	Rutta
Harris of Dallas	Scarborough
Head	Settle
Herzik	Shofner
Hodges	Smith
Hofheinz	Stanfield
Holland	Steward
Hoskins	Stinson

Stovall  
Tarwater  
Tennyson  
Thornton  
Tillery  
Venable  
Waggoner

Walker  
Wells  
Westfall  
Wood of Harrison  
Wood of Montague  
Young  
Youngblood

Nays—1

Roach of Angelina

Absent

Adkins	Jones of Falls
Ash	Keefe
Caldwell	Lindsey
Collins	McFarland
Duvall	Olsen
Fitzwater	Petsch
Ford	Riddle
Gibson	Rogers
Hill	Spears

Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

The Speaker then laid House Bill No. 915 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—127

Adamson	Dunagan
Aikin	Dunlap of Hays
Alsup	Dunlap of Kleberg
Atchison	Duvall
Beck	Dwyer
Bergman	England
Bourne	Fain
Bradbury	Farmer
Bradford	Fisher
Broyles	Fox
Burton	Frazer
Butler of Brazos	Fuchs
Butler of Karnes	Gibson
Cagle	Glass
Calvert	Good
Celaya	Graves
Clayton	Gray
Collins	Greathouse
Colquitt	Hankamer
Colson	Hanna
Cooper	Hardin
Cowley	Harris of Archer
Craddock	Harris of Dallas
Crossley	Head
Daniel	Herzik
Davison of Fisher	Hodges
Davisson	Hofheinz
of Eastland	Holland
Dickison	Hoskins

Howard	Patterson
Huddleston	Payne
Hunt	Pope
Hunter	Quinn
Hyder	Reader
Jackson	Reed of Bowie
James	Reed of Dallas
Jefferson	Roach of Hunt
Jones of Atascosa	Roane
Jones of Runnels	Roark
Jones of Shelby	Roberts
Jones of Wise	Rogers
Keefe	Russell
King	Rutta
Knetsch	Scarborough
Lanning	Settle
Latham	Shofner
Leath	Smith
Lemens	Stanfield
Leonard	Steward
Lotief	Stinson
Lucas	Stovall
Luker	Tarwater
Mauritz	Tennyson
McConnell	Thornton
McFarland	Tillery
McKee	Venable
Moffett	Waggoner
Moore	Walker
Morris	Wells
Morrison	Westfall
Morse	Wood of Harrison
Newton	Wood of Montague
Nicholson	Young
Padgett	Youngblood

## Nays—1

Roach of Angelina

## Absent

Adkins	Lange
Ash	Lindsey
Caldwell	Olsen
Fitzwater	Palmer
Ford	Petsch
Hill	Riddle
Jones of Falls	Spears

## Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

## HOUSE BILL NO. 912 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 912, A bill to be entitled "An Act prohibiting taking, killing, or possessing wild foxes for the purpose of barter or sale, providing a penalty for the violation thereof, in

certain counties, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

## HOUSE BILL NO. 912 ON THIRD READING

Mr. Head moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 912 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—123

Adamson	Harris of Dallas
Aikin	Head
Alsup	Herzik
Atchison	Hodges
Beck	Hofheinz
Bergman	Holland
Bourne	Hoskins
Bradbury	Howard
Bradford	Huddleston
Broyles	Hunt
Burton	Hunter
Butler of Brazos	Hyder
Butler of Karnes	Jackson
Cagle	James
Calvert	Jefferson
Celaya	Jones of Atascosa
Clayton	Jones of Runnels
Colquitt	Jones of Shelby
Colson	Jones of Wise
Cooper	King
Cowley	Knetsch
Craddock	Lange
Crossley	Lanning
Daniel	Latham
Davison of Fisher	Leath
Davisson	Lemens
of Eastland	Leonard
Dickison	Lotief
Dunagan	Lucas
Dunlap of Hays	Luker
Dunlap of Kleberg	Mauritz
Dwyer	McConnell
England	McKee
Fain	Moffett
Farmer	Moore
Fisher	Morris
Fox	Morrison
Frazer	Morse
Fuchs	Newton
Glass	Nicholson
Good	Padgett
Graves	Palmer
Gray	Patterson
Greathouse	Payne
Hankamer	Pope
Hanna	Quinn
Hardin	Reader
Harris of Archer	Reed of Bowie

Reed of Dallas	Stovall
Roach of Hunt	Tarwater
Roane	Tennyson
Roark	Thornton
Roberts	Tillery
Russell	Venable
Rutta	Waggoner
Scarborough	Walker
Settle	Wells
Shofner	Westfall
Smith	Wood of Harrison
Stanfield	Wood of Montague
Steward	Young
Stinson	Youngblood

## Nays—1

Roach of Angelina

## Absent

Adkins	Jones of Falls
Ash	Keefe
Caldwell	Lindsey
Collins	McFarland
Duvall	Olsen
Fitzwater	Petsch
Ford	Riddle
Gibson	Rogers
Hill	Spears

## Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

The Speaker then laid House Bill No. 912 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—127

Adamson	Crossley
Aikin	Daniel
Alsup	Davison of Fisher
Atchison	Davison
Beck	of Eastland
Bergman	Dickison
Bourne	Dunagan
Bradbury	Dunlap of Hays
Bradford	Dunlap of Kleberg
Broyles	Duvall
Burton	Dwyer
Butler of Brazos	England
Butler of Karnes	Fain
Cagle	Farmer
Calvert	Fisher
Celaya	Fox
Clayton	Frazer
Collins	Fuchs
Colquitt	Gibson
Colson	Glass
Cooper	Good
Cowley	Graves
Craddock	Gray

Greathouse	Morris
Hankamer	Morrison
Hanna	Morse
Hardin	Newton
Harris of Archer	Nicholson
Harris of Dallas	Padgett
Head	Patterson
Herzik	Payne
Hodges	Pope
Hofheinz	Quinn
Holland	Reader
Hoskins	Reed of Bowie
Howard	Reed of Dallas
Huddleston	Roach of Hunt
Hunt	Roane
Hunter	Roark
Hyder	Roberts
Jackson	Rogers
James	Russell
Jefferson	Rutta
Jones of Atascosa	Scarborough
Jones of Runnels	Settle
Jones of Shelby	Shofner
Jones of Wise	Smith
Keefe	Stanfield
King	Steward
Knetsch	Stinson
Lanning	Stovall
Latham	Tarwater
Leath	Tennyson
Lemens	Thornton
Leonard	Tillery
Lotief	Venable
Lucas	Waggoner
Luker	Walker
Mauritz	Wells
McConnell	Westfall
McFarland	Wood of Harrison
McKee	Wood of Montague
Moffett	Young
Moore	Youngblood

## Nays—1

Roach of Angelina

## Absent

Adkins	Lange
Ash	Lindsey
Caldwell	Olsen
Fitzwater	Palmer
Ford	Petsch
Hill	Riddle
Jones of Falls	Spears

## Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

## HOUSE BILL NO. 847 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 847, A bill to be entitled "An Act prohibiting the transportation by any one person at any one time of more than one hundred twenty-five (125) minnows taken from the waters of Falls County, Texas, beyond the borders of such county; providing a penalty, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

### HOUSE BILL NO. 847 ON THIRD READING

Mr. Hodges moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 847 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Adamson	Graves
Aikin	Gray
Alsup	Greathouse
Atchison	Hankamer
Beck	Hanna
Bergman	Hardin
Bourne	Harris of Archer
Bradbury	Harris of Dallas
Bradford	Head
Broyles	Herzik
Burton	Hodges
Butler of Brazos	Hofheinz
Butler of Karnes	Holland
Cagle	Hoskins
Calvert	Howard
Celaya	Huddleston
Clayton	Hunt
Colquitt	Hunter
Colson	Hyder
Cooper	Jackson
Cowley	James
Craddock	Jefferson
Crossley	Jones of Atascosa
Daniel	Jones of Runnels
Davison of Fisher	Jones of Shelby
Davisson	Jones of Wise
of Eastland	King
Dickison	Knetsch
Dunagan	Lange
Dunlap of Hays	Lanning
Dunlap of Kleberg	Latham
Dwyer	Leath
England	Lemens
Fain	Leonard
Farmer	Lotief
Fisher	Lucas
Fox	Luker
Frazer	Mauritz
Fuchs	McConnell
Glass	McKee
Good	Moffett

Moore	Scarborough
Morris	Settle
Morrison	Shofner
Morse	Smith
Newton	Stanfield
Nicholson	Steward
Padgett	Stinson
Palmer	Stovall
Patterson	Tarwater
Payne	Tennyson
Pope	Thornton
Quinn	Tillery
Reader	Venable
Reed of Bowie	Waggoner
Reed of Dallas	Walker
Roach of Hunt	Wells
Roane	Westfall
Roark	Wood of Harrison
Roberts	Wood of Montague
Russell	Young
Rutta	Youngblood

Nays—1

Roach of Angelina

Absent

Adkins	Jones of Falls
Ash	Keefe
Caldwell	Lindsey
Collins	McFarland
Duvall	Olsen
Fitzwater	Petsch
Ford	Riddle
Gibson	Rogers
Hill	Spears

Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

The Speaker then laid House Bill No. 847 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—127

Adamson	Clayton
Aikin	Collins
Alsup	Colquitt
Atchison	Colson
Beck	Cooper
Bergman	Cowley
Bourne	Craddock
Bradbury	Crossley
Bradford	Daniel
Broyles	Davison of Fisher
Burton	Davisson
Butler of Brazos	of Eastland
Butler of Karnes	Dickison
Cagle	Dunagan
Calvert	Dunlap of Hays
Celaya	Dunlap of Kleberg

Duvall	Luker
Dwyer	Mauritz
England	McConnell
Fain	McFarland
Farmer	McKee
Fisher	Moffett
Fox	Moore
Frazer	Morris
Fuchs	Morrison
Gibson	Morse
Glass	Newton
Good	Nicholson
Graves	Padgett
Gray	Patterson
Greathouse	Payne
Hankamer	Pope
Hanna	Quinn
Hardin	Reader
Harris of Archer	Reed of Bowie
Harris of Dallas	Reed of Dallas
Head	Roach of Hunt
Herzik	Roane
Hodges	Roark
Hofheinz	Roberts
Holland	Rogers
Hoskins	Russell
Howard	Rutta
Huddleston	Scarborough
Hunt	Settle
Hunter	Shofner
Hyder	Smith
Jackson	Stanfield
James	Steward
Jefferson	Stinson
Jones of Atascosa	Stovall
Jones of Runnels	Tarwater
Jones of Shelby	Tennyson
Jones of Wise	Thornton
Keefe	Tillery
King	Venable
Knetsch	Waggoner
Lanning	Walker
Latham	Wells
Leath	Westfall
Lemens	Wood of Harrison
Leonard	Wood of Montague
Lotief	Young
Lucas	Youngblood

## Nays—1

Roach of Angelina

## Absent

Adkins	Lange
Ash	Lindsey
Caldwell	Olsen
Fitzwater	Palmer
Ford	Petsch
Hill	Riddle
Jones of Falls	Spears

## Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

## HOUSE BILL NO. 377 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 377, A bill to be entitled "An Act creating a closed season upon wild deer, buck, doe, fawn, or wild turkey for a period of six (6) years in the County of Robertson, in the State of Texas, making it unlawful for any person to hunt, trap, ensnare, kill, or attempt to kill, by any means whatsoever, any wild deer, buck, doe, fawn, or wild turkey within said county for a period of six (6) years; providing a penalty therefor, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

## HOUSE BILL NO. 377 ON THIRD READING

Mr. Frazer moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 377 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Adamson	Dwyer
Aikin	England
Alsup	Fain
Atchison	Farmer
Beck	Fisher
Bergman	Fox
Bourne	Frazer
Bradbury	Fuchs
Bradford	Glass
Broyles	Good
Burton	Graves
Butler of Brazos	Gray
Butler of Karnes	Greathouse
Cagle	Hankamer
Calvert	Hanna
Celaya	Hardin
Clayton	Harris of Archer
Collins	Harris of Dallas
Colquitt	Head
Cooper	Herzik
Cowley	Hodges
Craddock	Hofheinz
Crossley	Holland
Daniel	Hoskins
Davison of Fisher	Howard
Davisson	Huddleston
of Eastland	Hunt
Dickison	Hunter
Dunagan	Hyder
Dunlap of Hays	Jackson
Dunlap of Kleberg	James

Jefferson	Quinn
Jones of Atascosa	Reader
Jones of Runnels	Reed of Bowie
Jones of Shelby	Reed of Dallas
Jones of Wise	Roach of Hunt
King	Roane
Knetsch	Roark
Lange	Roberts
Lanning	Russell
Latham	Rutta
Leath	Scarborough
Lemens	Settle
Leonard	Shofner
Lotief	Smith
Lucas	Stanfield
Luker	Steward
Mauritz	Stinson
McConnell	Stovall
McKee	Tarwater
Moffett	Tennyson
Moore	Thornton
Morris	Tillery
Morrison	Venable
Morse	Waggoner
Newton	Walker
Nicholson	Wells
Padgett	Westfall
Palmer	Wood of Harrison
Patterson	Wood of Montague
Payne	Young
Pope	Youngblood

## Nays—1

Roach of Angelina

## Absent

Adkins	Jones of Falls
Ash	Keefe
Caldwell	Lindsey
Colson	McFarland
Duvall	Olsen
Fitzwater	Petsch
Ford	Riddle
Gibson	Rogers
Hill	Spears

## Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

The Speaker then laid House Bill No. 377 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

## Yeas—127

Adamson	Bourne
Aikin	Bradbury
Alsup	Bradford
Atchison	Broyles
Beck	Burton
Bergman	Butler of Brazos

Butler of Karnes	Keefe
Cagle	King
Calvert	Knetsch
Celaya	Lanning
Clayton	Latham
Collins	Leath
Colquitt	Lemens
Colson	Leonard
Cooper	Lotief
Cowley	Lucas
Craddock	Luker
Crossley	Mauritz
Daniel	McConnell
Davison of Fisher	McFarland
Davisson	McKee
of Eastland	Moffett
Dickison	Moore
Dunagan	Morris
Dunlap of Hays	Morrison
Dunlap of Kleberg	Morse
Duvall	Newton
Dwyer	Nicholson
England	Padgett
Fain	Patterson
Farmer	Payne
Fisher	Pope
Fox	Quinn
Frazer	Reader
Fuchs	Reed of Bowie
Gibson	Reed of Dallas
Glass	Roach of Hunt
Good	Roane
Graves	Roark
Gray	Roberts
Greathouse	Rogers
Hankamer	Russell
Hanna	Rutta
Hardin	Scarborough
Harris of Archer	Settle
Harris of Dallas	Shofner
Head	Smith
Herzik	Stanfield
Hodges	Steward
Hofheinz	Stinson
Holland	Stovall
Hoskins	Tarwater
Howard	Tennyson
Huddleston	Thornton
Hunt	Tillery
Hunter	Venable
Hyder	Waggoner
Jackson	Walker
James	Wells
Jefferson	Westfall
Jones of Atascosa	Wood of Harrison
Jones of Runnels	Wood of Montague
Jones of Shelby	Young
Jones of Wise	Youngblood

## Nays—1

Roach of Angelina

## Absent

Adkins	Fitzwater
Ash	Ford
Caldwell	Hill

Jones of Falls  
Lange  
Lindsey  
Olsen

Palmer  
Petsch  
Riddle  
Spears

Absent—Excused

Alexander  
Canon  
Davis  
Hartzog

McCalla  
McKinney  
Worley

# HOUSE BILL NO. 600 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 600, A bill to be entitled "An Act prohibiting the setting of any steel trap, snare, or deadfall in Smith County for the purpose of taking any fur-bearing animals for a period of two years; repealing all laws, in so far as they conflict with this Act; providing a penalty for violation of this Act, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

# HOUSE BILL NO. 600 ON THIRD READING

Mr. Cooper moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 600 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Adamson	Daniel
Aikin	Davison of Fisher
Alsup	Davisson
Atchison	of Eastland
Beck	Dickison
Bergman	Dunagan
Bourne	Dunlap of Hays
Bradbury	Dunlap of Kleberg
Bradford	Dwyer
Broyles	England
Burton	Fain
Butler of Brazos	Farmer
Butler of Karnes	Fisher
Cagle	Fox
Calvert	Frazer
Celaya	Fuchs
Clayton	Glass
Collins	Good
Colson	Graves
Cooper	Gray
Cowley	Greathouse
Craddock	Hankamer
Crossley	Hanna

Hardin	Morse
Harris of Archer	Newton
Harris of Dallas	Nicholson
Head	Padgett
Herzik	Palmer
Hodges	Patterson
Hofheinz	Payne
Holland	Pope
Hoskins	Quinn
Howard	Reader
Huddleston	Reed of Bowie
Hunt	Reed of Dallas
Hunter	Roach of Hunt
Hyder	Roane
Jackson	Roark
James	Roberts
Jefferson	Russell
Jones of Atascosa	Rutta
Jones of Runnels	Scarborough
Jones of Shelby	Settle
Jones of Wise	Shofner
King	Smith
Knetsch	Stanfield
Lange	Steward
Lanning	Stinson
Latham	Stovall
Leath	Tarwater
Lemens	Tennyson
Leonard	Thornton
Lotief	Tillery
Lucas	Venable
Luker	Waggoner
Mauritz	Walker
McConnell	Wells
McKee	Westfall
Moffett	Wood of Harrison
Moore	Wood of Montague
Morris	Young
Morrison	Youngblood

Nays—1

Roach of Angelina

Absent

Adkins	Jones of Falls
Ash	Keefe
Caldwell	Lindsey
Colquitt	McFarland
Duvall	Olsen
Fitzwater	Petsch
Ford	Riddle
Gibson	Rogers
Hill	Spears

Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

The Speaker then laid House Bill No. 600 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:



## Yeas—127

Adamson	Howard
Aikin	Huddleston
Alsup	Hunt
Atchison	Hunter
Beck	Hyder
Bergman	Jackson
Bourne	James
Bradbury	Jefferson
Bradford	Jones of Atascosa
Broyles	Jones of Runnels
Burton	Jones of Shelby
Butler of Brazos	Jones of Wise
Butler of Karnes	Keefe
Cagle	King
Calvert	Knetsch
Celaya	Lanning
Clayton	Latham
Collins	Leath
Colquitt	Lemens
Colson	Leonard
Cooper	Lotief
Cowley	Lucas
Craddock	Luker
Crossley	Mauritz
Daniel	McConnell
Davison of Fisher	McFarland
Davisson	McKee
of Eastland	Moffett
Dickison	Moore
Dunagan	Morris
Dunlap of Hays	Morrison
Dunlap of Kleberg	Morse
Duwall	Newton
Dwyer	Nicholson
England	Padgett
Fain	Patterson
Farmer	Payne
Fisher	Pope
Fox	Quinn
Frazer	Reader
Fuchs	Reed of Bowie
Gibson	Reed of Dallas
Glass	Roach of Hunt
Good	Roane
Graves	Roark
Gray	Roberts
Greathouse	Rogers
Hankamer	Russell
Hanna	Rutta
Hardin	Scarborough
Harris of Archer	Settle
Harris of Dallas	Shofner
Head	Smith
Herzik	Stanfield
Hodges	Steward
Hofheinz	Stinson
Holland	Stovall
Hoskins	Tarwater

Tennyson	Wells
Thornton	Westfall
Tillery	Wood of Harrison
Venable	Wood of Montague
Waggoner	Young
Walker	Youngblood

## Nays—1

Roach of Angelina

## Absent

Adkins	Lange
Ash	Lindsey
Caldwell	Olsen
Fitzwater	Palmer
Ford	Petsch
Hill	Riddle
Jones of Falls	Spears

## Absent—Excused

Alexander	McCalla
Canon	McKinney
Davis	Worley
Hartzog	

## RECESS

Mr. McKee moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

Mr. Roberts moved that the House recess to 9:30 o'clock a. m., tomorrow.

Question recurring on the motion by Mr. Roberts, it prevailed, and the House, accordingly, at 10 o'clock p. m., took recess to 9:30 o'clock a. m., tomorrow.

## APPENDIX

## STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions as follows:

Constitutional Amendments: House Joint Resolution No. 43.

Counties: House Bills Nos. 893 and 966.

Judiciary: House Bill No. 955.

Municipal and Private Corporations: Senate Bill No. 498.

Oil, Gas, and Mining: House Bill No. 933.

Revenue and Taxation: House Bills Nos. 254, 921, and 944.